

Confidential - until 22 Sept. 1999

8/33V.

Meeting with Lord Dubs

Action on Displaced Families in Border Areas

Date: 21 September 1999

Time: 10:30

Venue: Clarence Court

Those attending: Lord Dubs
Noel Cornick, DANI
~~Alan McArthur, DOE~~

John McArthur
John Dubs

Confidential - Until 22 Sept. 1999

File Copy

FROM: Noel Cornick
DATE: 26 August 1999
TO: PS/Lord Dubs (DANI)

ACTION ON DISPLACED FAMILIES IN BORDER AREAS

Summary: To provide advice to Lord Dubs and a draft reply for the Minister to send to the Rt. Hon. Adam Ingram concerning FEAR (Fear Encouraged Abandoned Roots) Fermanagh Limited.

Timescale: Letter to issue as soon as Lord Dubs returns from leave.

Recommendation: The Minister is recommended to note the advice provided and to write to Mr Ingram along the lines of the attached draft.

Background

1. Following a meeting with FEAR (Fear Encouraged Abandoned Roots) Fermanagh Ltd, a group which acts for those who were forced from their homes, businesses and farms due to border terrorist activity, Mr Ingram wrote to Lord Dubs in March 1999 suggesting that a multi-agency approach might be the way forward to address the concerns raised by FEAR Ltd.
2. Mr Ingram has asked for details of the policies and practices which DANI, DOE and District Councils have available for the restoration or aid of displaced families.
3. The DANI response was seen and approved by Lord Dubs in April. However, I understand that Lord Dubs asked for additional advice from DOE, and that a formal reply has yet to issue.
4. Although the information requested by Mr Ingram has been supplied in writing to the Victims Liaison Unit, and also verbally to Mr Ingram during meetings of the Inter-Departmental Working Group on Victims, on which I sit as the DANI representative, Mr Ingram has indicated that he wishes to have the information corroborated by Lord Dubs.

DANI Position

5. In April 1998, the Secretary was involved in lengthy discussions with Mr Semple and Central Secretariat on FEAR and how DANI could help. The correspondence and DANI position is attached at Annex A.



- LETTER TO MR STEVENSON (VLU) 30/7/99
- Minute to G. Stevenson re "Bloomfield Report" 26/5
- DANI response to Mr Ingram's Letter
- LETTER FROM MR INGRAM TO LORD DUBS MARCH 99
- ANN
6. The main argument put forward by the Department is that there is no DANI policy (and as far as we know no Government policy) to compensate, or make payments in lieu of lost opportunity, for investment in agriculture, or any other industry. DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances. We have no means through which we could pay grants to restore farms to what they were before displacements occurred. Any scheme proposed by Government to aid farmers would of course be subject to current EU State Aid rules, and would have to be agreed with the European Commission. It is likely that the Commission would reject an Agricultural Support Scheme, and would point to the Peace Programme as a more appropriate vehicle for FEAR. Any such scheme under the Peace Programme would be difficult to defend and could not be confined to the FEAR Ltd members. In any event DANI has no available funds under the Peace Programme. DANI has therefore no scope for funding any sort of resettlement programme.
7. Following the inaugural meeting of the Working Group to implement the recommendations of the Bloomfield Report I undertook to consider three issues raised in relation to agriculture namely:

Analysing the case studies from FEAR and see if anything useful can be added

8. I considered and analysed in some detail the case studies. Sad though the tales related are, it is extremely difficult, if not impossible, to think of any way in which DANI can offer tangible help, apart from the provision of general farming advice which is readily available. The crux of the argument is detailed in paragraph 6 above.

Bursary schemes at the Agriculture Colleges

9. I discussed the possibility of offering a Victims Bursary for those attending the Department's Colleges with the Chief Agriculture Officer.
10. I was encouraged to learn that limited funds could be made available from the Agri-Food Development Service Student Award budget, subject to the necessary approval being given.
11. Providing a bursary could be seen as helping the victims establish themselves in a career without an excessive accumulation of loans and so must be attractive and can be easily justified. DANI currently parallels the DENI arrangements for student Higher Education awards, and this includes specific assistance for those with disabilities.
12. The Department would be prepared to go it alone in providing bursaries to assist with living expenses of victims attending Higher Education courses at DANI Colleges. However, on the basis of equality of treatment between rural and urban victims we would propose that DANI and DENI operate a joint scheme, or at least, administer parallel or equivalent schemes.

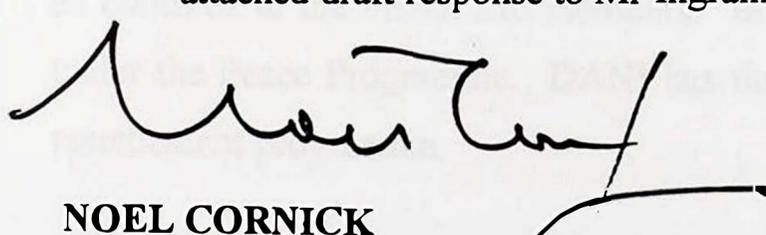
13. It would not be appropriate for DANI to decide on the eligibility of victims for bursaries, and we would hope that the Victims Liaison Unit will take the lead with DANI administering and funding the selection process.

Acquiring victims' abandoned properties for conversion into holiday accommodation.

14. As the Minister is aware Rural Development Division has supported a number of tourism-related projects designed to assist with the regeneration of disadvantaged rural areas. In such areas they maintain close and constructive liaison with DED and the Northern Ireland Tourist Board, and are together considering a major Natural Resource Tourism initiative as a candidate for funding under the new round of the European Structural Funds Programme. These proposals, however, remain at a fairly early stage of development.
15. We informed the Victims Liaison Unit that if a specific proposal arose from a local community association to turn vacant properties into holiday cottages it could be considered under the current Rural Development Programme, and local LEADER or Area Based Strategy Groups could consider support for individual proposals if the relevant group had a tourism promotion theme for their particular area. We did however, emphasise the community element. Applications from individuals, particularly those with isolated properties, would be unlikely to find significant support in competition for limited resources. Thus any real progress on this point would depend on the geographical juxtaposition of the vacant properties, and the local rural development groupings, and obviously on property owners obtaining the support of the relevant organisation. Government could not drive such a proposal.
16. I am also pursuing with colleagues the possibility of allowing rural holiday cottages, which would otherwise be unoccupied, to be leased to victims and also the possibility of free entry to the Department's Forest Parks for organised groups.

Recommendation

17. The Minister is recommended to note the advice provided, and approve the attached draft response to Mr Ingram.


NOEL CORNICK
HEAD OF CORPORATE POLICY AND EUROPEAN ISSUES

cc Secretary
Mr McNeill
CAO

Mr McWhinney
Mr Gallagher

DRAFT REPLY FROM LORD DUBS TO THE RT. HON. ADAM INGRAM

I regret that you did not receive a reply to your letter back in March which asked what policies DOE, DANI and Local Councils have available for the restoration or aid of displaced families.

I understand that the DANI position has already been outlined to you by Noel Cornick, the DANI representative on the Inter-Departmental Working Group on Victims, both at meetings of that group, and in his written submissions to the Victims Liaison Unit.

The Department of Agriculture has in the past discussed possible ways of providing assistance to FEAR Ltd. Previous correspondence is attached which includes a list of the main arguments on why we cannot offer financial assistance to the Group. There is no DANI policy (and as far as we know no Government policy) to compensate or make payments in lieu of lost opportunity for investment in agriculture, or any other industry. DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances. We have no means through which we could pay grants to restore farms to what they were before displacements occurred. Any scheme proposed by Government to aid farmers would of course be subject to current EU State Aid rules, and would have to be agreed with the European Commission. It is likely that the Commission would reject an Agricultural Support Scheme, and would point to the Peace Programme as a more appropriate vehicle for FEAR. Any such scheme under the Peace Programme would be difficult to defend and could not be confined to the FEAR Ltd members. In any event DANI has no available funds under the Peace Programme. DANI has therefore no scope for funding any sort of resettlement programme.

However, we have now had the opportunity to consider further our involvement in helping victims and have explored the following options:

Bursary schemes at the Agriculture Colleges

I have discussed the possibility of offering a Victims Bursary for those attending the Department's Colleges with the Chief Agriculture Officer. The Colleges offer a range of courses related to agriculture, horticulture, equine studies and food technology.

I was encouraged to learn that limited funds could be made available from the Agri-Food Development Service Student Award budget, subject to the necessary approval being given.

Students attending Further Education courses at the DANI Colleges receive free tuition and means tested assistance towards accommodation, so the scope for support in this area is limited. However, the provision of support for those attending Higher Education Courses is declining and moving to repayable loans. Providing a bursary could be seen as helping the victims establish themselves in a career without an excessive accumulation of loans and so must be attractive and can be easily justified. DANI currently parallels the DENI arrangements for student Higher Education awards, and this includes specific assistance for those with disabilities.

The Department would be prepared to go it alone in providing bursaries to assist with living expenses of victims attending Higher Education courses at DANI Colleges. However, on the basis of equality of treatment between rural and urban victims we would propose that DANI and DENI operate a joint scheme, or at least, administer parallel or equivalent schemes.

In my opinion, it would not be appropriate for DANI to decide on the eligibility of victims for bursaries. I would hope that the VLU would take the lead with DANI administering and funding the selection process. I was therefore interested to learn that last year the Victims Liaison Unit, together with Barnardos, launched the Educational Bursary Scheme, which was aimed at individuals whose education had been directly affected by the Troubles. I also understand that the Memorial Fund has included education as one of its key areas. Officials will raise this matter with the

Victims Liaison Unit to ensure there is no overlap with our proposals, and to explore whether we could actually take advantage of the Fund's own machinery.

Acquiring victims' abandoned properties for conversion into holiday accommodation.

Rural Development Division has supported a number of tourism-related projects designed to assist with the regeneration of disadvantaged rural areas. In such areas they maintain close and constructive liaison with DED and the Northern Ireland Tourist Board, and are together considering a major Natural Resource Tourism initiative as a candidate for funding under the new round of the European Structural Funds Programme. These proposals, however, remain at a fairly early stage of development.

If a specific proposal arose from a local community association to turn vacant properties into holiday cottages it could be considered under the current Rural Development Programme, and local LEADER or Area Based Strategy Groups could consider support for individual proposals if the relevant group had a tourism promotion theme for their particular area. I must, however, emphasise the community element. Applications from individuals, particularly those with isolated properties, would be unlikely to find significant support in competition for limited resources. Thus any real progress on this point would depend on the geographical juxtaposition of the vacant properties, and the local rural development groupings, and obviously on property owners obtaining the support of the relevant organisation. Government could not drive such a proposal.

We are also pursuing with colleagues the possibility of allowing rural holiday cottages, which would otherwise be unoccupied, to be leased to victims and also the possibility of free entry to the Department's Forest Parks for organised groups.

Should you wish any clarification on the above issues we can, of course, arrange a discussion.

LORD DUBS OF BATTERSEA

MINISTER OF AGRICULTURE AND THE ENVIRONMENT

From: PETER SMALL

Date: 20 April 1998

To: Mr Ferguson
Central Secretariat

FEAR GROUP - FERMANAGH

1. We spoke about recent contacts between you and this Department about this Group. I undertook to come back to you and suggested that we should meet with John Semple and you to discuss.
2. I attach a short note containing points which confirm our earlier advice and led us to the conclusion that this is not a matter for DANI to address - though we can make a modest contribution. In essence the only reason for us to lead would be if we had grants to pay. We don't; and unless the Group is given that message in clear terms and redirected in other ways the Government machine will build up false and unrealisable expectations. I am told that the Group has been offered a £10,000 grant for a research officer from the Fermanagh District Partnership under the EU Peace Programme. You should check this with DFP.
3. All of this is said on the basis that we do not doubt the Group's sincerity but, while we sympathise fully with their situation, there are countless others in NI - urban and rural - who have lost opportunities or consider themselves worse off than they could have been had there been political stability and no organised violence or intimidation.
4. But I must emphasise that we have no grant scheme to help and were I to be asked/directed to develop one - assuming we could get EU approval - I would have real difficulty in devising a scheme which could be confined to the FEAR Group members; and - given the 30 year timescale over which

LETTER TO MR STEVENSON (VLU) 30/1/99
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events may have occurred - I have no confidence that we could manage such a scheme in a way that would exclude individuals who might make bogus and dishonest claims or restrict the field of potential claimants either geographically or sectorally. As Accounting Officer that would cause me great concern.

P J Small

P J SMALL

cc Mr Semple
Mr McNeill
Mr Toal
Mrs Cummins
Mr McWhinney
Mr O'Neill
Mrs Cassells

DANI POINTS

Summary of FEAR's Aims

- These can be "dressed up" in whatever ways suit any options open but the core aim is one which leads to the provision of Government finance to facilitate the members to return to their homes and businesses (not just limited to farm businesses) on the basis that these homes and businesses would be developed to the degree which they might have been had they remained in the area.

FEAR Group

- It is a group of individuals who are looking for individual grants; it is not a group with aims relating to the development of a rural community.
- We understand that the Group has been offered a grant of £10,000 by the Fermanagh District Partnership - not a body accountable to DANI - to recruit a development/research officer. DANI, along with other agencies, will work with that officer when recruited but we can not advise him/her on how to make a case for DANI grant assistance since we do not have any such grant scheme.

Main DANI Arguments

- There is no DANI policy (and so far as we know no Government policy) to compensate or make payments in lieu of lost opportunity for investment in Agriculture or any other industry; DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances; and we have no means through which we could pay grants to restore farms to what they were before these displacements occurred. DANI has no scope for funding any sort of resettlement programme.

- DANI has no grant scheme to enable people to commence new farm businesses or to restore run down or neglected buildings.
- DANI grants schemes which did provide funding for investment in farm businesses are now closed, but would not have fulfilled the objectives of the FEAR Group.
- The Agri-Food Development Service is available to provide advice to those who wish to develop competencies to manage a farm business.
- Because of changes in Agricultural policy, including the EU's Common Agriculture Policy, over the last 25 years, many activities which would have been funded by DANI in the 1970s and 1980s would not now be supported; such funding cannot therefore be claimed in retrospect.
- Any scheme proposed by Government to aid farmers would be subject to current **EU State Aid** rules and would have to be agreed with the European Commission. The Commission is likely to reject an Agricultural Support Scheme and would point to the Peace Programme as a more appropriate vehicle for the FEAR Group.
- Any such scheme funded by DANI, either from its own resources or through the Peace Programme, would be difficult to defend if **limited to Fermanagh or any one particular group**. Almost certainly it would have to be open to claimants in all areas of Northern Ireland.
- DANI has no more funds available under the Peace Programme.
- Such a scheme would open Government to accusations of discrimination against other individuals who have lost or had to abandon businesses (in either urban or rural settings) due to civil unrest or acts of terrorism.

LETTER TO MR STEVENSON (VLU) 30/7/99
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- A District Partnership, under the EU Peace Programme, might consider a scheme tailored to an identified need in its area. However, the case for such a scheme would have to be approved by the NI District Partnership Board - DANI is not in the lead on this.

MRS CONNOR

- We are told that the Fermanagh District Partnership has offered assistance to the FEAR Group amounting to some £10k towards a development/research officer. This officer could direct farmers to the Agri-Food Development Service which can provide advice on farming techniques, managing the farm, and generally acquiring the competencies to successfully operate a farm business. No special financial assistance is available however.
- We do not see this as an agriculture or rural development issue, but rather as a compensation matter (either for actual loss or for lost opportunities) with all that that implies for the wider community. DANI should not be in the lead in that setting.



NOEL CORNICK

FROM: NOEL CORNICK
DATE: 4 August 1999

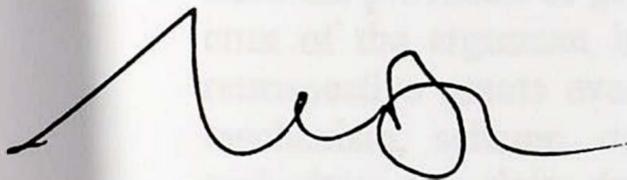
cc Mr Gallagher
Mr Mills

TO: MRS CONNOR

VICTIMS

There was virtually no discussion this afternoon of the specific agricultural issues relating to victims. Mr Ingram appeared content with the written contribution we made.

On a more general point, John McConnell, representing DOE and the world at large, waxed eloquent about the desirability of having in each Department a known point of contact for enquiries from victims. The contact would not necessarily be able to answer every enquiry, but would have access to sources of information from which the answer, good or bad, could be provided. John plays this role in DOE, largely because he carries with him the legacy of his days as District Development Officer in Newry and as Head of NIO's Political Affairs Division. There was a consensus around the table that this was an idea worth pursuing. A pilot may be undertaken, but in the meantime we were invited to send names to Billy Stevenson. I imagine we have no choice but to volunteer ourselves. If you agree would you let the VLU have our names and telephone numbers please.



NOEL CORNICK

NC-2-8

LETTER TO
MR STEVENSON
(VLU)
30/7/99

Minute to
A. Stevenson
re "Bloomfield
Report" 26/5

DANI
response to
Mr Ingram's
Letter

LETTER FROM
MR INGRAM
TO LORD DUBS
MARCH '99



Dundonald House
Upper Newtownards Road
BELFAST
BT4 3SB

Tel: (01232) 520100 Ext.
Fax: (01232)

Your ref:

Our ref:

FROM: NOEL CORNICK
DATE: 30 July 1999

TO: Mr Stevenson
Victims Liaison Unit

*Mr Cornick 30/8/99 -
Thank you
for
min
1/10*

**INTERDEPARTMENTAL WORKING GROUP TO CONSIDER
IMPLEMENTATION OF THE BLOOMFIELD REPORT**

Thank you for your minute of 6 July in which you requested an update on the work being undertaken by Departments to implement the Bloomfield Report. I was also grateful for the opportunity of meeting you this afternoon.

Following the inaugural meeting of the Working Group to implement the recommendations of the Bloomfield Report I undertook to consider three issues raised in relation to agriculture namely:

1. **Analysing the case studies from FEAR and see if anything useful can be added**

I have now had the opportunity to consider and analyse in some detail the case studies. Sad though the tales related are, it is extremely difficult, if not impossible, to think of any way in which DANI can offer tangible help, apart from the provision of general farming advice which is readily available. The crux of the argument is that the Department is not in a position to offer retrospective grants even if we had the resources to do so. DANI has no mechanism, scheme, or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances. We have no means through which we could pay grants to restore farms to what they were before displacements occurred. Moreover, there is the question of read across to displaced urban victims of terrorism who would surely feel aggrieved if we were able to devise a legitimate method of assisting FEAR.

2. **Bursary schemes at the Agriculture Colleges**

I have discussed the possibility of offering a Victims Bursary for those attending the Department's Colleges with the Chief Agriculture Officer. The Colleges offer a range of courses related to agriculture, horticulture, equine studies and food technology.



DEPARTMENT OF AGRICULTURE
LAND

I was encouraged to learn that limited funds could be made available from the Agri-Food Development Service Student Award budget, subject to the necessary approval being given.

Students attending Further Education courses at the DANI Colleges receive free tuition and means tested assistance towards accommodation, so the scope for support in this area is limited. However, the provision of support for those attending Higher Education Courses is declining and moving to repayable loans. Providing a bursary could be seen as helping the victims establish themselves in a career without an excessive accumulation of loans and so must be attractive and can be easily justified. DANI currently parallels the DENI arrangements for student Higher Education awards, and this includes specific assistance for those with disabilities.

The Department would be prepared to go it alone in providing bursaries to assist with living expenses of victims attending Higher Education courses at DANI Colleges. However, on the basis of equality of treatment between rural and urban victims we would propose that DANI and DENI operate a joint scheme, or at least, administer parallel or equivalent schemes.

In my opinion, it would not be appropriate for DANI to decide on the eligibility of victims for bursaries. I would hope that the VLU would take the lead with DANI administering and funding the selection process. I was therefore interested to learn from you that last year the Victims Liaison Unit, together with Barnardos, launched the Educational Bursary Scheme, which was aimed at individuals whose education had been directly affected by the Troubles. I have asked my colleagues in the Agri-Food Development Service (AFDS) to speak to you directly about the Bursary. I also learned from you that the Memorial Fund has included education as one of its key areas, and again I have asked AFDS to raise this matter with you to ensure there is no overlap with our proposals, and to explore whether we could actually take advantage of the Fund's own machinery.

3. Acquiring victims' abandoned properties for conversion into holiday accommodation.

My Rural Development colleagues have supported a number of tourism-related projects designed to assist with the regeneration of disadvantaged rural areas. In such areas they maintain close and constructive liaison with DED and the Northern Ireland Tourist Board, and are together considering a major Natural Resource Tourism initiative as a candidate for funding under the new round of the European Structural Funds Programme. These proposals, however, remain at a fairly early stage of development.

If a specific proposal arose from a local community association to turn vacant properties into holiday cottages it could be considered under the current Rural Development Programme, and local LEADER or Area Based Strategy Groups could consider support for individual proposals if the relevant group had a tourism promotion theme for their particular area. I must, however, emphasise the community element. Applications from individuals, particularly those



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O. Stevenson
re "Bloomfield
Report" 26/5

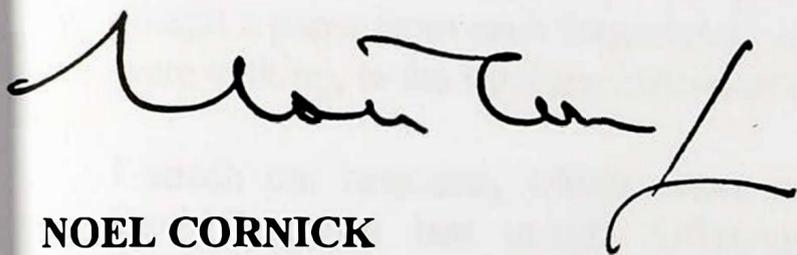
DANI
response to
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LETTER FROM
MR INGRAM
TO LORD DUBS
MARCH '99

with isolated properties, would be unlikely to find significant support in competition for limited resources. Thus any real progress on this point would depend on the geographical juxtaposition of the vacant properties, and the local rural development groupings, and obviously on property owners obtaining the support of the relevant organisation. Government could not drive such a proposal.

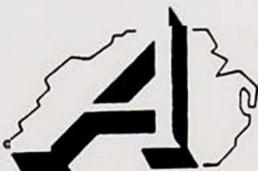
I am also pursuing with colleagues the possibility of allowing rural holiday cottages, which would otherwise be unoccupied, to be leased to victims and also the possibility of free entry to the Department's Forest Parks for organised groups.

I will, of course, expand on these issues during our meeting with Mr Ingram next Thursday.



NOEL CORNICK
HEAD OF CORPORATE POLICY AND EUROPEAN ISSUES

cc **PS/Lord Dubs (DANI)**
Secretary
Mr McNeill
CAO
Mr McWhinney
Mr Duff
Mr Gallagher
Members of the Interdepartmental Working Group



ATURE
ND

G. Stevenson
re "Bloomfield
report" 26/5

response to
Mr Ingram's
Letter

MR INGRAM
To LORD DUBS
MARCH '99

FROM: NOEL CORNICK
DATE: 26 May 1999

TO: BILLY STEVENSON
VICTIMS LIAISON UNIT
NIO

BLOOMFIELD REPORT

Your minute of 19 May, which we discussed briefly on the telephone a few days ago, sought a paper from each Department setting out the contribution they might make, or were making, to the implementation of the Bloomfield recommendations.

I attach our response, which draws heavily on a note which Peter Small sent to David Ferguson last month following approaches from the FEAR Group in Fermanagh.

As the paper indicates, DANI fully sympathises with the plight of all victims of violence, but is very limited in terms of tangible support or assistance which could be offered.

NOEL CORNICK

NC-23-5

DANI
response to
Mr Ingram's
letter

LETTER FROM
MR INGRAM
TO LORD DUBS
MARCH '99

"WE WILL REMEMBER THEM"

THE BLOOMFIELD REPORT

RESPONSE OF THE DEPARTMENT OF AGRICULTURE FOR NORTHERN IRELAND (DANI)

DANI's only involvement with victims of violence has been in connection with the plight of families in rural areas, and in the border areas of Co Fermanagh in particular, displaced from their homes - often farms - as a result of fear or intimidation. The issue is addressed in paragraph 5.39 of the Bloomfield Report where the Government is urged to give sympathetic consideration to representations received from these victims.

The Department has received a number of approaches from Fear Encouraged Abandoned Roots Fermanagh Ltd (the FEAR Group) and has considered possible ways of assisting them.

In essence, the Group's aim is to receive financial assistance to enable its members to return to their homes and businesses (which are not exclusively farm businesses) on the basis that these homes and businesses would be developed to the degree that might have been the case had the residents not felt obliged to leave.

DANI faces a number of major difficulties in addressing this issue.

The FEAR Group is a group of individuals seeking individual grants. It is not a group whose aims relate to the development of a rural community or communities.

There is no DANI policy (and so far as we know no Government policy) to compensate or make payments in lieu of lost opportunity for investment in Agriculture or any other industry; DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances; and we have no means through which we could pay grants to restore farms to what they were before these displacements occurred. DANI has no scope for funding any sort of resettlement programme.

DANI has no grant scheme to enable people to commence new farm businesses or to restore run down or neglected buildings, and grant schemes which did provide funding for investment in farm businesses are now closed, and would not in any case have fulfilled the objectives of the FEAR Group.

Because of changes in Agricultural policy, including the EU's Common Agriculture Policy, over the last 25 years, many activities which might have been funded by DANI in the 1970s and 1980s would not now be supported. Such funding cannot therefore be claimed in retrospect.

response to Mr Ingram's letter
Mr INGRAM
TO LORD OUBI
MARCH '99

Any scheme proposed by Government to aid farmers is subject to EU State Aid rules and would have to be agreed with the European Commission. The Commission is likely to reject an Agricultural Support Scheme and would point to the Peace Programme as a more appropriate vehicle for the FEAR Group. DANI has no more funds available under the current Peace Programme.

Any scheme funded by DANI, either from its own resources or through the Peace Programme, would be difficult to defend if limited to Fermanagh or any one particular group. Almost certainly it would have to be open to claimants in all areas of Northern Ireland, since otherwise the Government would face accusations of discrimination against other individuals who have lost or had to abandon businesses (in either urban or rural settings) due to civil unrest or acts of terrorism.

We do not therefore see this as an agriculture or rural development issue, but rather as a compensation matter (either for actual loss or for lost opportunities) with all that that implies for the wider community.

It is possible that a District Partnership, under the EU Peace Programme, might consider a scheme tailored to an identified need in its area. However, the case for such a scheme would have to be approved by the NI District Partnership Board. We understand that the Fermanagh District Partnership has offered assistance to the FEAR Group amounting to some £10 K towards a development/research officer.

The Agri-Food Development Service within DANI can provide advice on farming techniques, farm management, and generally on acquiring the competence necessary for the successful operation of a farm business, but can provide no financial assistance.

The Department would be very happy to make facilities available at its three Colleges and in its Forest Parks for seminars or recreational activities, if that would be helpful to victims, but is unable to offer any other tangible assistance.

NC-23-5

if case & small notes

FROM: Edwin Gallagher

DATE: 13 April 1999

**TO: Gillian Elliott
Private Office**

ACTION ON DISPLACED FAMILIES IN BORDER AREAS COR 3798

Summary

Issue: To provide advice to Lord Dubs and draft input to a response to the Rt. Hon. Adam Ingram's letter dated March 1999 following a recent meeting with FEAR (Fear Encouraged Abandoned Roots) Fermanagh Ltd.

Timescale: Advice and draft reply to be submitted no later than 14 April 1999.

Recommendation: The Minister is recommended to note the advice provided and to approve the draft input for onward transmission to the DOE Private Office who are taking the lead in this matter.

Background

1. Following a meeting with FEAR (Fear Encouraged Abandoned Roots) Fermanagh Ltd, a group which acts for those who were forced from their homes, businesses and farms due to border terrorist activity, Mr Ingram wrote to Lord Dubs suggesting that a multi-agency approach might be the way forward to address the concerns raised by FEAR Ltd.
2. Mr Ingram has asked for details of the policies and practices which DANI, DOE and District Councils have available for the restoration or aid of displaced families.

DANI Position

3. In April 1998. the Secretary was involved in lengthy discussions with Mr Semple and Central Secretariat on FEAR and how DANI could help. The correspondence and DANI position is attached at Annex A.

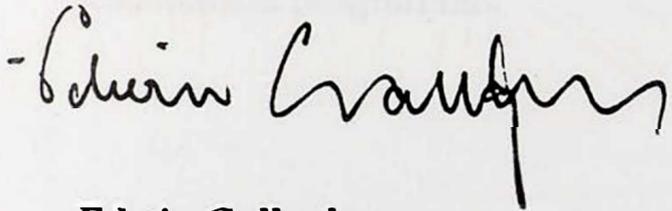


MR INGRAM
TO LORD DUBS
MARCH '99

4. - The main argument put forward by the Department is that there is no DANI policy (and as far as we know no Government policy) to compensate, or make payments in lieu of lost opportunity, for investment in agriculture, or any other industry. DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances. We have no means through which we could pay grants to restore farms to what they were before displacements occurred. Any scheme proposed by Government to aid farmers would of course be subject to current EU State Aid rules, and would have to be agreed with the European Commission. It is likely that the Commission would reject an Agricultural Support Scheme, and would point to the Peace Programme as a more appropriate vehicle for FEAR. Any such scheme under the Peace Programme would be difficult to defend and could not be confined to the FEAR Ltd members. In any event DANI has no available funds under the Peace Programme. DANI has therefore no scope for funding any sort of resettlement programme.

Recommendation

5. The Minister is recommended to note the advice provided, and approve the attached draft part input for onward transmission to DOE, who are taking the lead in preparing a formal response to Mr Ingram.



Edwin Gallagher
Co-ordination Division

- cc Secretary
Mr McNeill
Mr Toal
CAO
Mr Cornick
Mr McWhinney
Mrs Cummins
Mr O'Neill
Mr McKee

LETTER FROM
MR INGRAM
TO LORD DUBS
MARCH '99

DANI DRAFT INPUT FOR RESPONSE TO THE RT. HON. ADAM INGRAM

The Department of Agriculture has in the past discussed possible ways of providing assistance to FEAR Ltd. Previous correspondence is attached which includes a list of the main arguments on why we cannot offer financial assistance to the Group. There is no DANI policy (and as far as we know no Government policy) to compensate or make payments in lieu of lost opportunity for investment in agriculture, or any other industry. DANI has no mechanism, scheme or other grant arrangement under which people in agriculture can claim grants retrospectively for work which they might have carried out in different circumstances. We have no means through which we could pay grants to restore farms to what they were before displacements occurred. Any scheme proposed by Government to aid farmers would of course be subject to current EU State Aid rules, and would have to be agreed with the European Commission. It is likely that the Commission would reject an Agricultural Support Scheme, and would point to the Peace Programme as a more appropriate vehicle for FEAR. Any such scheme under the Peace Programme would be difficult to defend and could not be confined to the FEAR Ltd members. In any event DANI has no available funds under the Peace Programme. DANI has therefore no scope for funding any sort of resettlement programme.

MIS To Lord D...
MARCH '99

Confidential until

DANI PRIVATE OFFICE

Reference: 3798

COR / ~~INV~~*

Document Date: 31/03/99

Sender:
RT HON ADAM
INGRAM JP MP

Subject:
ACTION ON DISPLACED FAMILIES IN BORDER
AREAS

ACTION REQUIRED:

- Advice and draft reply for PS/PM signature
- Advice and draft reply for PS/SoS signature
- Advice and draft reply for the Minister's signature
- Advice and draft reply for PS signature
- Advice and part input to D.O.E case
- Divisional reply/Chief Executive reply
- Briefing Material
- Speech/speaking notes
-

Not later than:- 14 April 1999

Date: 7 April 1999

Referred to: Mr. E. Gallagher

Contacts: Keith Morrison ext 25180

Tommy Breslin ext 25089

Siobhan Thompson ext 24609

Ann Robinson ext 25097

Philip Redding ext 24610

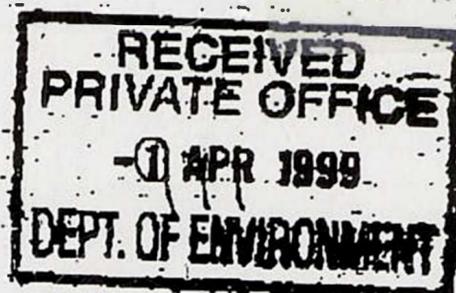
Gillian E... ext 24610

cc PS/MINISTER
SECRETARY

Mr. D McNeill

Mr. N Cornick

* Delete as appropriate



From: Adam Ingram
March 1999

To: Lord Dubs, DOE, DANI & L

ACTION ON DISPLACED FAMILIES IN BORDER AREAS

I recently had a meeting with FEAR (Fear Encouraged Abandoned Roots) (Fermanagh) Ltd, a group which acts for those who were forced from their homes, businesses and farms due to border terrorist activity, usually in the early years of the troubles but some more recently.

During the meeting, the group presented me with nine case studies of the most seriously affected families, together with costings for renovation and improving land and buildings which were abandoned.

I discouraged the group from believing that the Government would have an immediate solution to their problems, but did think that a multi-agency approach might be the way forward on this issue.

In taking such an approach forward, I would be very grateful if you could tell me what policies and practices the Department of the Environment, the Department of Agriculture and local councils have available for the restoration or aid of displaced families. Thank you very much for your help on this matter and I look forward to your reply.

The Rt Hon Adam Ingram JP MP