

Carrowshee Park & Sylvan Hill

Community Development

Association

Bill of Rights Submission

1. Introduction

Carrowshee Park & Sylvan Hill Community Development Association was formed in 2000 and sits on the edge of Lisnaskea in Co. Fermanagh. Its aim is to enhance the quality of life of residents in the area. CPSHCDA has neither premises nor employees, it is entirely voluntary and to date has been one of the most successful community associations in Fermanagh, if not in Northern Ireland.

CPSHCDA is one of CFNI's Bill of Rights Training and Support Groups. The group has undertaken rights training and attended a series of conferences and events as part of its project.

CPSHCDA has chosen a single theme for its submission: **the right to an adequate space in which to live**. This proposed right combines aspects of the right to private and to family life, the right to work and the right to an adequate standard of living. Because of the particular circumstances of Northern Ireland the group will make a recommendation concerning how this gap in rights provision might be bridged.

2. Context and Background

The authors of the Bill of Rights for Northern Ireland will undoubtedly understand both the need to entrench fundamental rights while at the same time allowing flexibility so that rights can be modernised in terms of their relevance and applicability. The same is true of community life and the infrastructure that supports it.

Sylvan Hill was built in 1962 and was wholly adequate to meet the needs of the community at that time. Many people worked in nearby factories such as Sir Richard Arkwright and Adria or the Cheese factory. However, by 1998 these businesses had shut down resulting in a local employment crisis. The people of the area responded by finding other sources of employment, often quite far from their homes and less well paid than previously. Because there

is no effective local transport infrastructure, the number of cars required by families increased suddenly. Because Sylvan Hill was planned and built as a narrow cul-de-sac in an era when car ownership was much less, there is simply not enough space for parking and so double or triple parked lines of cars have become common. The community found itself in a position where its socio-economic well-being was being compromised as a result of out-dated planning, among other things. The emergency services also expressed in writing their concerns regarding access to CPSHC DA.

CPSHCDA reacted by attempting to solve the problem. A small green area was identified as suitable for additional parking space and was checked to ensure no cables or pipes bisected it. If this could be done, it would also free up a small number of private garages which had become un-usable because they opened onto the road where the volume of parking blocked access.

CPSHCDA then approached the statutory bodies: the Roads Service and the Housing Executive. Because there is now more than 50% home ownership in the estate, the Housing Executive has no statutory obligation but did give a verbal commitment to enter a partnership arrangement. The Road Service drew up a site plan but could not fund the job which they costed at up to £20,000.

3. Analysis of the Issue

Having spoken to senior management in the statutory bodies, CPSHCDA came away with the following information:

- This is a common problem, there are 3-4 similar requests made each year from various sources, including MLAs, who perceive the Roads Service to be the appropriate agency to take action.
- Often out-dated planning and a general increase in the number of road-users have exacerbated to the problem.
- No single statutory body is clearly identifiable as responsible for fixing this problem: it is a statutory grey area where services do not “join up”.
- Funding could, in some cases, fix the problem so long as it is ring-fenced. The Road Service’s budget is already over-stretched.
- The way the Road Service prioritise is by measuring the flow and movement of traffic and facilitating it -

cul-de-sac blockages tend to be overlooked unless they lead to congestion.

- The Road Service and other statutory bodies have no way of measuring the impact of this problem on the socio-economic life of local communities.
- All statutory bodies are obliged to act in accordance with current rights legislation and to take account of the rights of individuals and communities; however, they have no way of judging when the simple issue of space to live becomes a rights issue.
- This issue is often confused with the more trivial complaint from those who find that occasionally they can't park at their own door – there is no such right where public roads are concerned. The issue CPSHCDA is flagging up is about the socio-economic strangulation of a community.

4. Conclusion

In conclusion, while we realise that this might be a problem that cannot always be fixed, we strongly recommend that where space is available and its management can make a clear difference to the lives of people in the affected communities, there should be a rights-based response from statutory bodies as deemed appropriate. In short we suggest that they develop a “rights-ometer” to assess when allocation of resources is required so as to comply with their duties under rights legislation or government commitment. This approach might also help to encourage a more “joined up” service provision on an inter-agency basis, designed to listen to the united voice of a local community and assess their needs from a socio-economic rights-based point of view. This would most likely require ring-fenced funding to accommodate the “right to an adequate space in which to live” should this issue arise.

5. Carrowshee Park Anti-Speed Ramps

Another issue which has arisen as an aspect of CPSHCDA's proposed “right to an adequate space in which to live” is that of speed ramps in the residential area of Carrowshee Park. This is an issue that the Roads Service is responsible for. However, once again, funding constraints and the application of certain criteria have meant that anti-speed ramps will not be put in Carrowshee Park. Currently, in order for an area to get anti-speed ramps, the Roads Service must monitor traffic volume and speed and take account of accidents and fatalities.

CPSHCDA propose that peace of mind for parents and safety for children should be seen as a right and included in the definition of an adequate space to live.

6. Children

CPSHCDA would also like to propose that children have a right to play and that this should be included in the definition of an adequate space to live. This could be implemented as play parks or Multi-Use Games Areas or other similar spaces. Again, this would require ring-fenced funds and recognition from statutory agencies that this right is serviceable in accordance with any provision made in the Bill of Rights.

7. Other Rights Issues Raised during the Consultation

1. Primary education: St Eugene's Knocks Primary School is under threat of closure. It has approximately 92 children and 2 teachers. The rural bus service to the school is also under threat. A rights-based approach relating to future education provision should be included in the Bill of Rights.
2. Secondary school transport: the secondary school buses into Enniskillen are routinely crowded beyond what is safe. Children's right to safety should be paramount.
3. Another issue concerns the fact that the government discriminate against children who do not choose the integrated school. Transport fees beyond 3 miles are paid for integrated school children but not for others. This should be dealt with as an equality issue.
4. Vehicle trade plates from N.Ireland and RoI, unlike the tax discs they are supposed to represent, are not valid in the neighbouring jurisdiction once they cross the border. One local company was clamped and fined for moving a vehicle from Cavan to Donegal through Fermanagh. This technicality has the potential to create serious difficulties for certain trades and businesses in the border counties in particular.
5. University: Students are paying fees and incurring debts and there are concerns about this and whether they are getting value for money. A Bill of rights should include the right to free education. Increased educational attainment has been the bedrock of social progress for

centuries and since managing social progress is the concern of government they have a vested interest in granting the right to free education.

6. Housing: the right to affordable housing for young people and young families. There is a problem of NIHE property availability. An affordable housing scheme should be negotiated with all stakeholders and made a rights issue.
7. Policing: the local command covers a 30 mile radius and has one squad car after dark. Local issues include anti-social behaviour, illegal dumping, underage drinking etc. The right to safety and security should be bolstered in the Bill of Rights and receive real resources.

8. Postscript

CPSHCDA would like to thank the CFNI Training and Support Programme for the opportunity to participate in the Bill of Rights Consultation and wish the Forum, the NIHRC, the Consortium and associated bodies every success in furnishing Northern Ireland with a Bill of Rights.