

[Draft] Minutes of 10th Meeting

Northern Ireland Water Framework Directive Stakeholder Forum

River House, Belfast

27th November 2007

Attendance: Forum Members

Richard Bingham	RPS
William Caldwell	DOE (PEPG) – acting chairperson
Brenda Cuning	DOE (PEPG)
Eilis Ferguson	DRD Water Policy
Andrew Frazer	British Hydropower Association
Paul Gill	DRD Water Policy
Uel Irwin	AES Kilroot
Aileen Lawson	Ulster Farmers Union
Philip McMurray	DOE (PEPG)
Angus McRobert	DOE (EHS)
Robbie Marshall	Fresh Water Taskforce (UAF)
Devina Park	DOE (EHS)
Jenny Robinson	General Consumer Council NI
Joyce Rutherford	DARD (Environmental Policy)
Emma Ward	DOE (PEPG)
David Wright	DCAL Fisheries
Trevor Wright	Port of Larne

Apologies:

Michael Bell	NI Food & Drink Association
Gordon Best	Quarry Products Association
Sèan Convery	Farming & Wildlife Advisory Group
Joanne Gaffney	Aquaculture Initiative
Dick James	NI Fish Producers Organisation Ltd
Fergal Kearney	NI Tourist Board
Karen McCambley	NILGA
Alex McGarel	Freshwater Taskforce (WWF)
Ian Morrow	NI Chamber of Commerce & Industry
Brian Murphy	CNCC
Alex Scullin	NI Agricultural Producers Association
Paul Simpson	DOE
Andrew Sloan	NI Sports Council
Graham Smith	General Consumer Council NI

1. Minutes of Previous Meeting

The minutes of the 9th meeting on 5th September 2007 were approved.

2. Matters arising from minutes & updates paper

There were four matters arising:

Previous minutes Item 6 (developing sector-specific messages)

Brenda Cuning (BC) on behalf of Alex McGarel relayed that WWF has written to the Minister suggesting key WFD messages, such as efficiency in domestic water use, the safe disposal of “dangerous substances”, the issue of invasive species, the reduction of “imported” water (including for example in the production of goods) and the value of wetlands. Representatives of WWF are due to meet with the Minister on 7 December.

Aileen Lawson (AL) asked whether DOE had made the Water Review Panel aware of the need for an incentive to use water carefully, noting that strand 1 of the review was not in favour of metering. Paul Gill (PG) said that the review is aware of WFD and the DRD Minister, who will take the final proposal to the Executive, is aware of the obligations of his department with regard to WFD. BC stated that the Panel is aware of the Stakeholder Forum and it is positive that the Water Review is mentioned at the Stakeholder meetings and therefore fed back to the Panel.

Previous Minutes AOB

William Caldwell (WC) referred to James Robinson’s (JR) request for an update on the review of flood management policy. After discussing with Rivers Agency and JR, this will be added as an item for the February meeting, as this fits better with the timescale for developments on the policy review.

Updates Paper - POMs

WC informed the forum that the POMs sub-group meeting, scheduled to be held on 19 November was postponed until 12 December to coincide with Implementation Working Group.

Updates Paper - Planning Policy Statement 2

WC stated that the work programme for the review of PPS 2 has been affected by the Department assuming responsibility for PPS 14. It is now the intention to seek Ministerial clearance early 2008.

3. Strategic Environmental Assessment scoping study

Richard Bingham (RB) from RPS (consultants running NS SHARE) gave a presentation on the scoping study being conducted for the SEA on River Basin Management Planning.

BC asked which takes supremacy between SEA directive objectives and WFD objectives. RB stated that the SEA will examine each RBMP option and the

resulting SEA recommendations must then be considered. However, the SEA should complement the WFD.

WC asked if, although the scoping study must be carried out, it was totally necessary to carry out an actual SEA. RB stated that it is necessary to carry out the SEA due to the significance of WFD. However, the SEA will be carried out alongside the preparation of the draft RBMP. Angus McRobert (AM) conveyed that the environmental report, which considers all environmental aspects, would be prepared by the same time as the draft RBMP; therefore both can be considered together before the final RBMP is prepared.

Robbie Marshall (RM) asked who actually carried out the SEA. RB explained that EHS is the statutory consultee who commissions it to be carried out by an independent body. AM added that the environmental review process is consultative in nature and the consultations continue on a rolling basis. Furthermore, within the RBMP cycle, new issues which are identified can be included.

BC stated that, although it is good to consult at this stage of the SEA process, it will become clearer how people can feed in at later stages. WC asked about the next stage in the process for eNGOs. RB explained that there is a consultation period between the draft being produced and the environmental report.

Trevor Wright (TW) raised the issue of what kind of discussions will be carried out with industries etc that are affected by recommendations in the RBMP. AM conveyed that the Water Framework Directive expresses the need for balance between environmental benefit and social or economic needs. RM noted that an objective can be “down-graded” if it would have a negative economic impact. AM expressed that, if it is appropriate to have meetings with particular sectors, this would be carried out. It is also an important part of the WFD to demonstrate how an appropriate consultation process has been carried out.

WC commented that a current judicial review regarding SEA has raised questions regarding the transposition and implementation of the SEA directive in Northern Ireland. He notified the forum that legal advice is being sought on the way forward and, pending this, the SEA process for the River Basin Management Plans will continue as planned.

RM asked who makes the final decision on different options to include in the RBMP. RB explained that DOE makes the decision but each option will be assessed by the SEA. AM clarified that the RBMP will make recommendations, but that these will be consulted upon before a final decision is made by the Minister and Executive.

4. Draft RBMP

AM presented the paper “A Concept for the Production of draft RBMPs.”

RM enquired about single IRBMPs for each river basin, asking why it is not possible to do one RBMP and change it slightly for each river basin. AM agreed that there will be a high percentage of commonality between river basins, but that the law dictates it cannot be done that way. Furthermore, there could be very local problems which need to be addressed.

AM also tabled a draft of the POMs Catalogue for discussion.

RM asked how the Water Quality targets in the catalogue relate to WFD targets. AM responded, saying that the WQ targets relate quite closely, but that some work needs to be done to bring the targets in line with WFD e.g. to include the numerical targets of WFD as well as preventing pollution.

RM stated that there are already regulations in place that are being broken e.g. industrial discharges consents, and that including this in POMs will not necessarily improve that situation. AM agreed that there is a huge issue around effectiveness and enforcement. He added that it will be important to carry out a risk assessment on measures to see if objectives can realistically be achieved – this can be looked into further as we move towards drawing up plans.

AM explained that other departments will be adding their existing measures to the catalogue and asked if forum members would be willing to feed in eNGO measures which they are aware of or have taken part in e.g. river enhancement. The group were in agreement to this, and BC will send out the catalogue electronically for all to fill in. BC will feed responses back to Cate Murphy of EHS, who is co-ordinating responses.

Action: BC to circulate the POMs Catalogue for forum members to contribute. BC will forward responses to Cate Murphy.

Joyce Rutherford (JRu) asked whether the POMs Catalogue is a dynamic document. AM answered that it is, and that part of the River Basin Planning management process is to update measures.

RM asked if EHS has the manpower to manage the necessary large amount of industrial consents. AM answered that this is an ongoing process – all measures will be operational by 2012 but the work is in progress and cases are being prioritised.

5. CSG Evening Meetings

Philip McMurray (PM) gave feedback on the Water Matters evening meetings, of which 8 had taken place. The final one was due to be held on Wednesday 28th November. There was on average between 30 and 40 people attending from the general public and attendees have included councillors and representatives from local government. PM noted that these are not stand-alone, but rather inaugural meetings for the CSG meetings, due to take place every 6 months. The independent facilitators from the evening meetings will

produce a report based on the discussions, questionnaires and other methods used during the meetings. WC noted that there will also be a collective report on the entire SWMI consultation, which will end 22nd December 2007.

PM asked for feedback from the forum on how the evening meetings have generally been received. AL responded saying that there was plenty of opportunity for each participant to raise any issues. RM agreed that the meetings were positive; adding that there had been a lot of frustrations aired during the meetings, and that hopefully these will be addressed within the draft RBMPs. BC stated that the catchment officers present at each meeting had taken notes which would form the agendas for the local CSGs. RM asked if further details would be given in the draft RBMPs regarding information provided in the SWMI booklets e.g. where the removal of nutrients takes place. BC responded, saying that the electronic data for the draft RBMPs will provide more information on such issues. WC remarked that the meetings had been well represented by members from eNGOs and government departments.

PM noted that ideas for a 2008 stakeholder event will be discussed once the evening meetings are finished.

6. Septic Tanks

Devina Park (DP) presented the paper "Impacts of the Dispersed Rural Population on Water Quality in Northern Ireland." She explained that work packages 1, 2 and 3 are underway and that these will aid with the further development of the remaining packages.

Aileen Lawson (AL) enquired about the timescale of work packages 1 to 3. DP responded that these are due to be completed by end March 2008. RM asked how many people are involved in the work. DP explained that all teams within WMU are involved and that work has been contracted out to SNIFFER. The forum expressed interest in hearing feedback. DP said that the panel will be informed via each panel meeting updates paper.

Action: WMU to provide an update on septic tanks work progress for each panel updates paper.

7. AOB

BC (on behalf of Alex McGarel) informed the Forum that the Environmental Protection Agency (EPA) Ireland has issued a call for bids for funding under the STRIVE programme, which recognises the need for research on sustainable behaviour and incentives.

<http://www.epa.ie/researchandeducation/research/funding/current/>

Alex McGarel also wished the Forum to consider the need for NI Water to be invited as a member. This was agreed.

Action: PEPG will invite NI Water to join the WFD Stakeholder Forum.

WC informed the forum that Clifford Henry from EHS is moving on to a different post. WC noted on behalf of the forum his thanks and appreciation to Clifford for all he has contributed to WFD.

8. Date of next meeting

It was proposed that the next meeting take place on Tuesday 19th February 2008.