

Carlingford & Mourne Catchment Stakeholder Group

Minutes

30 April 2008



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Carlingford and Mourne Catchment Stakeholder Group (CSG)

**7pm Wednesday 30th April 2008
Sean Hollywood Arts Centre, Newry**

Attendees:

Norman Henderson (NH)	Regional Operations, EHS
Mark Livingstone (ML)	Regional Operations, EHS (Chair)
Eileen Mallon (EM)	Neagh Bann Catchment Officer, EHS (Minute-taker)
Cate Murphy (CM)	River Basin Planning, EHS
Helen Nutt (HN)	North Eastern Catchment Officer, EHS (Minute-taker)
Lee Stockman (LS)	Water Quality Inspector, EHS
Shane Teague (ST)	Water Quality Inspector, EHS
David Berry (DB)	Upper Bann River Enhancement Partnership (UBREP)
George Berry (GB)	
Catherine Bertrand (CB)	Mourne Heritage Trust
David Clarke (DC)	Loughs Agency
Dymphna Gallagher (DG)	Northern Ireland Water (NIW)
Allan Kilgore (AK)	Kilkeel Angling Club & Ulster Angling Federation
Peter Lynch (PL)	Inland Fisheries, DCAL
Paddy McCrudden (PMcC)	Rivers Agency, DARD
Jonathan McKee (JMck)	Rivers Agency, DARD
Michael McKernan (MMck)	Northern Ireland Water (NIW)
Alan Morrow (AM)	Countryside Management, DARD
Ronald Murray (RM)	Regeneration of South Armagh (ROSA)
Danny Mussen (DM)	UBREP & Clonduff Angling Club
Vera Neeson (VN)	Newcastle resident
Delphine Pouligny (DP)	Cross Border Aquaculture Initiative (CBAIT)
Harry Rafferty (Ha.R)	Shimna Angling Club
Helena Rafferty (He.R)	Newcastle Sustainable Planning Group
Felix Sloan (FS)	Fair Green Oysters

1. Welcome and introductions

Mark Livingstone opened the meeting and welcomed all. Those in attendance invited to introduce themselves to group. Round room introductions.

ML recalled that the purpose of the last meeting had been to collate Significant Water Management Issues (SWMI) and that the aim of the forum was now to resolve local issues, through providing help, support and advice. He highlighted that he saw his role as chairperson of the group, only to be a temporary measure and should the members of the group wish they could appoint their own chair, though EHS would still facilitate the group.

2. Update on Significant Water Management Issues

Cate Murphy, River Basin Management Team, EHS presentation; "Significant Water Management Issues – your queries answered."

CM stated that the Significant Water Management Issues (SWMI) Digest which provides responses to all issues raised during the consultation and at the first Catchment Stakeholder Group (CSG) meetings would be available on the EHS website. http://www.ni-environment.gov.uk/water/wfd/significant_water_management_issues.htm

All SWMI contributors would be provided with a hard copy of the SWMI Digest Report in the first instance and thereafter by request. The independent facilitators report would also be available on the North South Share website www.nsshare.com.

CM said that the draft River Basin Management Plans (RBMP) would be available for public consultation at latest on the 22 December 2008 for a period of 6 months
Floor opened for questions/comments.

- 2.1 Ha.R asked what actions would be taken after publication of the Digest. CM stated all queries raised in the SWMI meetings had been responded to by the relevant party and their intended actions were outlined in the Digest. Local issues were not specially addressed but were corralled into topic areas. Resources to take the appropriate actions would have to fit into the financial limits set in the Programme of Government. CM said that the Digest would feed into the draft River Basin Management Plans (RBMP). Ha.R asked how the performance of the digest was going to be measured. CM replied that the Digest set out clear objectives for each subject from which performance could be measured. She said that if we did not meet those objectives that the EU Commission would need reasons and measures put in place to ensure they would be reached in the next round of RBMPs.
- 2.2 He.R asked for clarification of inclusion of coastal waters. CM stated all coastal waters within 1 nautical mile were covered by the Water Framework Directive (WFD) and so would be covered by the process.
AK asked if good water quality objectives were not met would infraction occur. CM said that yes the infraction process would be used by Europe to put pressure on Northern Ireland to comply with the Directive.
GB asked if EHS held adequate data to complete the RBMP's. CM replied that EHS has a lot of historical data, new monitoring stations have been added to the existing system providing a lot of new qualitative data. She said that where gaps in knowledge were identified that EHS would work effectively with other agencies to deal with them and use expert judgement. She said that input from stakeholder meetings helped to provide local knowledge which also fed into the process.
CM explained that the River Basin Management Plans (RBMPs) would follow a 4 tier system:
Tier 1 – would be an 'umbrella' document covering the whole of Ireland
Tier 2 – would be a background document detailing all the processes and procedures used at a River Basin District level.
Tier 3 – would be an electronic web-tool, providing information at the individual waterbody level.
Tier 4 – would be appendices including technical information.

3. Shellfish Waters Directive

DP expressed concern regarding the effectiveness of implementing the WFD when other existing Directives i.e. the Shellfish Directive had been in force for 10 years but had still not been fully implemented or enforced. CM stated that 11 pieces of legislation underpinned the WFD and that the UK would have to report to the EU on how effectively those Directives were being implemented. HN said that a review of Designated Waters Shellfish was being carried out by the DOE Planning and Environmental Policy Group and that it was due for completion in the next few months.

ACTION: HN to provide update on the review of designated waters to DP.

4. Cross-Border and Public Participation

CM said that the public consultation of draft RBMPs provided the group with the opportunity to comment and become more involved in the process.

GB described the cross border catchment process as running separately and parallel to each other. CM stated the process was a joint process. ML added that representatives from ROI had been invited to the CSG meetings and that EHS would continue to send representatives to meetings in the South. ML agreed to encourage future participation.

ACTION: HN & EM to review invitation list and encourage more cross border participation with the group.

- 4.1 ML suggested that as there were key stages involved in the RBMP process that the group should be involved in that and that a timetable of WFD consultation should be developed.

ACTION: HN & EM to develop RBMP timetable of WFD consultation.

- 4.2 AK drew the group's attention to the fact that the area covered by this CSG involved to River Basin Districts (RBDs) i.e. the North Eastern and Neagh Bann River Basin Districts. ML stated that the boundaries of the Catchment Officer roles reflected those of the RBDs and associated RBMPs but that the Catchment Stakeholder Groups (CSGs) had been set up to meet local needs regarding ease of access to the CSG meetings and similar environmental interests.

5. EHS, DCAL and FCB resources

PL asked about the resource implications of the work required e.g. on call, responding to pollution incidents etc. ML informed the group that there were 9 regional offices with 51 operational staff, dealing with pollution incidents and investigation up to and including to prosecution stage and a team of 18 pollution control staff based in Headquarters in Lisburn. He said that when the RBMPs have been produced a risk based approach would be taken in consultation with local stakeholders to effectively address the issues raised. ML acknowledged that at present EHS had relatively low resources available to deal with fish kills effectively and until the DCAL and FCB amalgamation was complete a gap would exist.

- 5.1 AK added that there was a major problem with resourcing. DC reinforced this stating that the Loughs Agency total spend was currently £3.7M but that more was needed. ML asked the group to feed these concerns into the relevant Departments. AK added that he had been informed by the Minister of the Environment that no extra resources or manpower would be made available with the exception of FCB staff transfers. ML suggested this be investigated further.

ACTION: ML to gain clarification on DCAL/FCB related resource issues.

6. Local Pollution Issues

Regional Update – Shane Teague, Water Quality Inspector, EHS

ST stated there are 4 Water Quality inspectors covering a relatively large area. 152 pollution incidents had been investigated, with 90 of these being in the in the Carlingford and Mourne area with a breakdown of 34 industrial; 21 agricultural; 14 domestic sewage; and 21 NIW related incidents. He said that during the previous CSG meeting concern had been expressed regarding the Carnbane industrial estate. He said that progress had been made on investigating this issue with visits being carried out by the pollution prevention team. ST said that locating sources of pollution within the estate could be time consuming and that he hoped that the planned visits would be completed by the date of the next meeting.

- 6.1 A member of the group raised that a storm drain discharge had been seen still running into the river at Carnbane three weeks after the last rainfall. ML said that rogue discharges to storm drain systems could be complex and time consuming to locate and deal with. He said that EHS have developed a draft Sustainable Urban Drainage Systems (SUDS) strategy and that EHS recommended the use of SUDS to Planning Service who may or may not always take up the recommendation. It was suggested that members of the group could lobby Planning Service to use SUDS more widely to help alleviate the problems of surface water runoff. ML said that EHS conduct Pollution Risk Assessments (PRA's) on industrial premises, and that for example in Mallusk EHS had completed 130 visits which had resulted in 35 notices and 3 prosecutions so far this year.

- 6.2 Concern was expressed that while the western side of the Carbane Industrial Estate was established in the 1970's, the eastern side has been developed in the last 18 months and that this relatively recent development had caused pollution. ML suggested details of any specific concerns be discussed with the local WQI's or through the EHS Pollution Hotline (0800 807060). PL highlighted the problem with excessive aquatic weed growth in Loughbrickland. LS stated there was a live case in that area which was due to go to court soon. He said that agricultural cross-compliance visits would be carried out and that should also help to put pressure on individuals to reduce the problem.
- 6.3 He.R asked why Pollution Risk Assessments could not be applied to waste water treatment works (WWTW's). ML replied that a different team within EHS was responsible for regulating WWTW's. He.R asked if 176 leaks in a year would be deemed as a high risk. MMcK stated the leaks related to storm discharges and that all WWTW's are designed to have storm overflows as they are only designed for a certain capacity and not the high volumes that they would receive under periods of high rainfall. He said that the discharges were consented by EHS. He.R expressed concern that untreated, coliform rich effluent discharges end up inshore in places like Newcastle where people use the water for recreation and bathing. He.R stated that Arlene Foster had announced that anyone using Newcastle beach was at a high risk of gastroenteritis. ML stated he would investigate this further. MMcK added that the WWTW was not designed to remove bacteria.
ACTION: ML to investigate Newcastle beach gastroenteritis concerns.
- 6.4 DG stated she would be happy to discuss the NI Water Capital Works Programme for the area. He.R replied that a Northern Ireland Water (NIW) presentation to the Newcastle Sustainable Forum was not forthcoming. DG replied stating she was happy to give a presentation to the Carlingford and Mourne CSG and the Strangford and Lecale CSG and suggested that Newcastle residents could attend these meetings.
ACTION: EM & HN to liaise with MMcK and DG to give NIW – Newcastle presentation at future CSG meeting.
- 6.5 DP asked if NIW published its consents to discharge for storm overflows and whether all storm overflow events were recorded. She said that storm overflows were a major threat to the shellfish industry as well as bathers. MMcK replied that NIW return their information to EHS. Ferguson McIveen carried out modelling for the works in Newcastle, a report on this is available through NIW. DP raised concerns regarding discharges from caravan parks and the effects on shellfish production. ML stated that caravan parks need a consent to discharge and that this was regulated by EHS and if problems were seen then EHS should be contacted via the pollution hotline (0800 807060).
- 6.6 PL enquired whether the CSG would have any remit in the Planning process. ML replied that under the terms of reference of the group EHS asked that issues raised by the group would be taken back to the relevant departments for consideration.
- 6.7 A member of the group raised a concern regarding gravel removal from river beds. PL stated that this was an offence and all reports should be reported to FCB through their Portadown office.
- 7. The role of the Catchment Officer and the way forward for the group.**
Helen Nutt, North Eastern Catchment Officer and Eileen Mallon, Neagh Bann Catchment Officer, EHS presentation; "The role of the Catchment Officer and the way forward for the group".

HN outlined the role of the Catchment Officer and highlighted the region included within the catchment. EM gave details of a number of ongoing water quality projects, including targeted catchment action plans.

HN and EM asked that anyone who had not had a chance to raise an issue of importance to them at the meeting contacted them to discuss. ML added that a stakeholder forum was held centrally with representation from all sectors. Information including minutes of the other 8 CSG meetings held in NI would be available to view of on the EHS website in due course.

ACTION: All relevant parties to return PAIRS forms to HN & EM.

http://www.ehsni.gov.uk/water/wfd/public_partic/pairs.htm

- 7.1 Dymphna Gallagher re-iterated that she would be willing to give a presentation similar to those requested at a number of the other Catchment Stakeholder Groups, on the proposed works for NIW and the current design and actual PE for works operating in the area. The group agreed that such a presentation would be useful.

ACTION: HN & EM to discuss potential for presentation at the autumn meeting with DG.

- 7.2 HN asked whether the group wished to have a presentation from EHS on the draft waterbody status classifications and draft River Basin Management Plans. She suggested that this might help the group to identify which priorities within the catchment they would like to focus on in future. The group agreed that it would be useful to be kept up to date with EHS's work through the meetings.

ACTION: HN & EM to arrange for a presentation to be given at the autumn meeting on classifications and the draft RBMPs.

- 7.3 A member of the group asked for clarification on the level of public awareness to their rights and entitlements in terms of water and emphasised the importance of relaying this to the public in straightforward terms. ML offered to give a short presentation of the Water Framework Directive (WFD) in simple terms.

ACTION: ML to give short WFD presentation.

- 7.4 JMCK noted that Planning Service were absent from the meeting and should be encouraged to attend.

ACTION: HN & EM to invite reps from Planning Service to attend CSG meetings.

ACTION: Group members to contact HN & EM with regard to suggesting agenda items, speakers etc. for autumn meeting.

8. Close

ML suggested that the next meeting be held centrally within the catchment in six months time. ML thanked all for attending and said he had found it a useful meeting and that he hoped for continual progress.

ACTION: HN & EM to arrange suitable venue and invite all in attendance to autumn meeting.

The meeting ended at 9:30pm

Summary of actions from the meeting: PTO

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Ref	Action	Update
3.	HN to provide update on the review of designated waters to DP.	Actioned: HN followed up and an update has been forwarded to DP from DOE on 27.06.2008.
4.	HN & EM to review invitation list and encourage more cross border participation with the group.	Ongoing: EM liaising with cross border representatives. HN & EM reviewing invitation list.
4.1	HN & EM to develop RBMP timetable of WFD consultation.	Update will be given at meeting.
5.1	ML to gain clarification on DCAL/FCB related resource issues.	Update will be given at meeting: Meeting arranged for 08.09.2008 with DCAL to discuss issues.
6.3	ML to investigate Newcastle beach gastroenteritis concerns.	Update will be given at meeting: Bathing Team asked for comment.
6.4	EM & HN to liaise with MMcK and DG to give NIW – Newcastle presentation at future CSG meeting.	Ongoing: HN raised with DG & MMcK on 01.08.2008.
7.	All relevant parties to return PAIRS forms http://www.ehsni.gov.uk/water/wfd/public_partic/pairs.htm to Eileen Mallon Eileen.Mallon@doeni.gov.uk or Helen Nutt Helen.Nutt@doeni.gov.uk .	Ongoing: A number of forms have been returned.
7.1	HN & EM to discuss potential for presentation at the autumn meeting with DG.	Ongoing: HN raised with DG & MMcK on 01.08.2008.
7.2	HN & EM to arrange for a presentation to be given at the autumn meeting on classifications and the draft RBMPs.	Actioned: HN agreed with RBMP Team 17.07.2008
7.3	ML to give short WFD presentation.	Actioned: HN has arranged for a summary of the Directive's aims to be given at the next meeting by the RBMP Team.
7.4	HN & EM to invite reps from Planning Service to attend CSG meetings.	Ongoing: HN & EM reviewing invitation list. Specific invites to be issued to Planning Service.
7.4	Group members to contact HN & EM with regard to suggesting agenda items, speakers etc. for autumn meeting.	Ongoing
8.	HN & EM to arrange suitable venue and invite all in attendance to autumn meeting.	Ongoing: HN & EM reviewing invitation list & organising venue etc.