

Lower Neagh Bann Catchment Stakeholder Group

Minutes

06 March 2008



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Minutes of
Lower Neagh Bann Catchment Stakeholder Group Meeting
6 March 2008

The meeting was held at The Elk, Toomebridge, on Thursday 6 March 2008 at 7.00pm.

Those present:

Laverne Bell, Quarry Products Association
Seamus Burns, Lough Neagh Wetlands Biodiversity Officer
Paul Burnside, EHS, Water Management Unit
Brian Cassells, Lough Neagh Advisory Committee & Inland Waterways Association
Mary Connacher, EHS, Water Management Unit
Beverly Connolly, EHS, Water Management Unit
Jim Devlin, Ballinderry River Enhancement Association & Ballinderry Bridge Angling Club
Paul Erwin, Ulster Angling Federation
Stephen Gilmore, Gracehill & Galgom Angling Clubs
Gareth Greer, Rivers Agency
Jim Henning, Inland Waterways Association
John Hill, EHS, Water Management Unit
Elmer Kennedy, Maine Angling Club
Allen Kirkpatrick, Antrim Angling Club
Mark Livingstone (Chairman) . EHS, Water Management Unit
Eileen Mallon, EHS, Water Management Unit
Caroline Marshall, Lough Neagh & Lower Bann Advisory Committees
Patrick McCallion, Ballinderry Bridge Angling Club
Dave McCrum, Northern Ireland Water
Richard McFaul, EHS, Water Management Unit
Hugh McIntyre, Bann Systems Ltd
Gerry McLaughlin, Coleraine Borough Council
Annemarie McStocker, Rural Community Network
Gareth Parke, EHS, Water Management Unit
Dessie Quinn, Bann Systems Ltd
Teddy Roughan, DCAL . Inland Fisheries
James Simpson, Ballymoney Borough Council & Council for Nature Conservation and the Countryside
Tom Simpson, Maine Angling Club
Conor Symington, EHS, Water Management Unit
April Thompson, EHS, Water Management Unit
Ruth Wilson, Antrim Borough Council

AGENDA ITEMS

1. Welcome and Introductions

Mark Livingstone thanked everyone for attending the meeting and gave an introductory presentation.

2. The Role of the Group . Terms of Reference

The Terms of Reference for the Group were highlighted. Mark Livingstone drew particular attention to Point 6 in the Terms of Reference, in that members will be expected, if necessary, to share a role in resolving conflict.

ACTION 1 - All

Group members to review the Terms of Reference, and provide comments to mark.livingstone@doeni.gov.uk 028 9263196

3. Pollution Incidents, Prevention and Progress in the Area - John Hill

John Hill gave a presentation to the group on the range of work carried out by staff in the area, in relation to pollution incidents, prevention and progress made.

4. Water Quality Projects in the Catchment - Eileen Mallon

Eileen Mallon outlined the role of the Catchment Officer and introduced a number of ongoing water quality projects, including targeted catchment action plans.

ACTION 2 - All

Group members to contact Eileen Mallon to discuss water quality projects or issues which need to be addressed in the local area.

eileen.mallon@doeni.gov.uk 028 92633442

5. Role and Function of the Lough Neagh and Lower Bann Advisory Committees . Caroline Marshall.

Caroline Marshall described the role of the advisory committees and the range of issues within their remit. Caroline emphasised the importance of constructive partnerships. Concerns regarding water quantity management, establishment of a Lough Neagh Navigation Authority, the production of draft river basin plans within given timescales and the need for additional funding were raised.

6. Group Discussion

6.1 Bailiffs

Q: What will happen to the jobs of the FCB bailiffs, as a result of the changes to the FCB?

A: (Teddy Roughan) FCB will become part of DCAL and there may be additional bailiffs employed.

Q: Bailiffs should be permitted to lift samples to act as an additional resource for EHS in prosecution cases.

A: (Mark Livingstone) Bailiffs may not be able to lift samples, but they can and have helped by providing supporting witness statements for pollution incidents which can be used as evidence in court.

Q: Can training be provided by EHS to enable bailiffs to take samples?

A: (Mark Livingstone) Maybe this is something that DCAL could consider?

ACTION 3 - Teddy Roughan

Clarification sought from DCAL on future bailiff numbers and future training

ACTION PROVIDED -

The FCB staff will be absorbed into DCAL hopefully at the end of 2008. The bailiffs will be reorganised into groups and supervised by the area Senior Fisheries Officers (SFO). Additionally there will be a dedicated SFO who will progress prosecution cases where there have been instances of fish kills.

There are ongoing discussions within DCAL as to the future role and scope of the bailiffs and also the role of the many club bailiffs. Together with our EHS colleagues it is anticipated that a comprehensive "ears and eyes" network can be established on the ground which will become proactive in the pursuit of a reduction in water pollution.

6.2 Pollution incidents

Comment: Follow-up walks after pollution incidents on a river should be carried out to assess the extent of the pollution and fish kill; this would help Angling Clubs take a civil case against the polluter.

Q: What percentage of low severity cases are brought to prosecution?

A: In line with current EHS enforcement policy and guidelines only those water pollution incidents classed as high and medium severity can be progressed as prosecutions.

Q: What services can EHS provide in water analysis and what are the costs?

A: (Mark Livingstone) In normal circumstances only certain parameters are tested eg Biological Oxygen Demand, Dissolved Oxygen, ammonia and pH.

ACTION 4 – Eileen Mallon

To obtain information on analysis available and relevant costs

Comment: The high number of persistent, low severity incidents is having a major impact on fisheries and water quality. More resources and attention need to be focused on these. In a 3 mile stretch of the Three Mile Water there are at least 12 low severity incidents. Most angling clubs in the Maine Enhancement Partnership have lost faith in EHS as these low severity incidents have not been addressed quickly enough. It took 16 days for one of these low severity incidents to be visited.

There was an oil pollution case where an oil interceptor was meant to be installed but never was . No EHS follow up.

Reply (Mark Livingstone): Current EHS procedures dictate that high and medium severity incidents get quicker attention to protect water quality, on a risk based approach. This ensures that resources are applied consistently and in time to meet the biggest risks to water pollution. We will work to rebuild the trust and these individual cases will be addressed.

***ACTION 5 – Mark Livingstone
Individual cases mentioned to be investigated by field staff***

ACTION PROVIDED –

Maine Action Plan produced, listing stakeholder issues which have been delegated to EHS staff and are currently being addressed.

Comment: There is an issue with the number of low severity incidents arising from septic tanks. Individually they are not a big problem but there is a cumulative impact from the sheer numbers of malfunctioning systems.

Comment: EHS must be congratulated on the progress made in the Six Mile Water, they have made a visible difference in the last 6 months.

Comment: The Maine needs a targeted action plan like the Six Mile Water.

***ACTION 6 - John Hill
John to arrange a meeting with the Angling Clubs concerned***

ACTION PROVIDED –

Maine Action Plan produced, listing stakeholder issues which have been delegated to EHS staff and are currently being addressed.

Q: Who deals with car washes ?

A: Car washes need a consent to discharge and any pollution from car washes should be reported via the pollution hotline.

Comment: There was a pollution incident on the Salterstown River and EHS had a good response time.

Comment: Staff need to give us feedback on pollution incidents reported.

6.3 River Basin Management Plans (RBMP)

Q: Will there be sufficient time for stakeholder comments to be incorporated into the draft RBMP?

A: (Eileen Mallon) The draft plans will be available for discussion at the next round of CSG meetings.

Comment: The plans should be broken into smaller groups to look at each individual water body and the pressures on it.

ACTION 7 – All

Group members to provide more feedback on RBMP and other issues by emailing Mark Livingstone mark.livingstone@doeni.gov.uk or Eileen Mallon eileen.mallon@doeni.gov.uk

ACTION 8 - Eileen Mallon

Invitation to River Basin Planning Team to CSG to discuss pressure and impacts study

6.4 Management of water levels and flows

Comment: Rivers Agency are still channelising rivers, we need a gradual release of water not large surges.

Reply: (Gareth Greer) Peter Close gave a talk on ecological flows at the Erne & Melvin CSG meeting which may be of use. Rivers Agency is committed to carrying out its works in an environmentally sympathetic manner and has moved away from the large scale dredging operations of the past. Maintenance of rural rivers is the subject of ongoing discussion within Rivers Agency and the emphasis now is on flood protection. A catchment approach is now being taken with slowing and holding waters and preventing flooding. The Floods Directive will soon apply which focuses on sustainable management of water.

Comment: Water should be retained in floodplains to reduce flooding. Floodplains should not be used for building.

ACTION 9 – Eileen Mallon

Invitation to Planning Service to give a presentation at a CSG meeting

Q. Can the levels in Lough Neagh be raised as have been 3 major lowerings? What affect would this have on habitat and SPA status?

Comment: the Lough Neagh Advisory Committee has asked for a review of the water quantity management in the Neagh Bann system every year for the past four years or so. The last review was 10 years ago. A review is needed. Both Lower and Upper Catchment Groups need to meet together to discuss this issue.

Reply: Rivers Agency manage the water levels within given statutory limits.

ACTION 10 – Gareth Greer

To obtain River Agency reply regarding lough level management.

ACTION PROVIDED: There are no immediate plans to review the management of the lough levels. Any changes to the current management of the lough levels would have to be subject to a change in Statutory Legislation and a full Article 6 assessment under the Habitats Directive. Both Lough Neagh and Lough Beg have conservation features that would be significantly affected by changes in the water level management.

Comment: 42 turbine projects are proposed for NI this year, with one on the Six Mile Water. Fishery owners are not consulted on these projects. Fishery owners need to be consulted.

ACTION 11 – Eileen Mallon

Peter Close to be invited to give a presentation on hydro schemes at a CSG meeting

Comment: Rivers Agency should consult with fishery owners when carrying out maintenance works in rivers to reduce silt problems and damaging spawning beds. Rivers Agency are not carrying out works at appropriate times. They have caused problems in the Six Mile Water and the Ballinderry.

ACTION 12 – Gareth Greer to investigate these 2 cases of inappropriate timing of River Agency works in the Six Mile Water and the Ballinderry

ACTION PROVIDED: Rivers Agency have not been made aware of these issues outside of this Stakeholder group meeting. If there are issues with the timing of maintenance within specific watercourses then these should be raised with the local Fisheries Officer. Each area holds quarterly liaison meetings with DCAL fisheries staff where future works are discussed and advice provided on the level of fisheries interest within individual watercourses. The annual programme of maintenance carried out by the Agency is also publically advertised and available on the Agency website (<http://www.riversagencyni.gov.uk/>). DCAL fisheries staff are the main point of contact for Angling Clubs and Fishery owners with concerns regarding works within their area.

6.5 Industrial estates

Comment: Owners of industrial estates such as Mallusk should be reminded of their responsibility for their tenants' activities including waste disposal, this might make them more responsible.

Response: (Mark Livingstone) We are trying this approach. EHS are completing risk assessments visits to all Mallusk premises. Around two thirds have already been visited.

7. Conclusion

Mark Livingstone concluded the meeting by thanking everyone for their attendance and stated copies of the minutes and action points would be circulated. Individuals would be contacted in relation to action points.

The meeting concluded at 10:30pm and the date of the next meeting is to be organised at a later date.

The staff within EHS Regional Operations would like to take this opportunity to express their deepest regret regarding the death of Allen Kirkpatrick who was a valued member of this group.

ACTION POINTS

Action	Action Provider	Action Provided
1. Group members to review the Terms of Reference and provide comments to mark.livingstone@doeni.gov.uk 028 9263196	ALL	
2. Group members to contact Eileen Mallon to discuss water quality projects or issues which need to be addressed in the local area. eileen.mallon@doeni.gov.uk 028 92633442	ALL	
3. Clarification sought from DCAL on future bailiff numbers and future training	Teddy Roughan (DCAL)	The FCB staff will be absorbed into DCAL hopefully at the end of 2008. The bailiffs will be reorganised into groups and supervised by the area Senior Fisheries Officers (SFO). Additionally there will be a dedicated SFO who will progress prosecution cases where there have been instances of fish kills. There are ongoing discussions within DCAL as to the future role and scope of the bailiffs and also the role of the many club bailiffs. Together with our EHS colleagues it is anticipated that a comprehensive "ears and eyes" network can be established on the ground which will become proactive in the pursuit of a reduction in water pollution.
4. Information on water sample analysis availability and relevant costs to be provided	Eileen Mallon (EHS)	
5. Individual cases mentioned by stakeholder to be investigated by field staff	Mark Livingstone (EHS)	Maine Action Plan produced, listing stakeholder issues which have been delegated to EHS staff and are currently being addressed.
6. Meeting to be arranged with the Angling Clubs concerned	John Hill (EHS)	Maine Action Plan produced, listing stakeholder issues which have been delegated to EHS staff and are currently being addressed.

7. Group members to provide more feedback on RBMP and other issues by emailing mark.livingstone@doeni.gov.uk or eileen.mallon@doeni.gov.uk	ALL	
8. Invitation to River Basin Planning Team to CSG to discuss pressure and impacts study	Eileen Mallon (EHS)	
9. Invitation to Planning Service to give a presentation at a CSG meeting.	Eileen Mallon (EHS)	
10. Information to be sought from Rivers Agency regarding lough levels management	Gareth Greer (Rivers Agency)	There are no immediate plans to review the management of the lough levels. Any changes to the current management would have to be subject to a change in Statutory Legislation and a full Article 6 assessment under the Habitats Directive. Both Lough Neagh and Lough Beg have conservation features that would be significantly affected by changes in the water level management.
11. Peter Close (EHS) to be invited to give a presentation on hydro schemes at a CSG meeting	Eileen Mallon (EHS)	
12. Gareth Greer to investigate these 2 cases of inappropriate timing of River Agency works in the Six Mile Water and the Ballinderry	Gareth Greer (Rivers Agency)	Rivers Agency have not been made aware of these issues outside of this Stakeholder group meeting. If there are issues with the timing of maintenance within specific watercourses then these should be raised with the local Fisheries Officer. Each area holds quarterly liaison meetings with DCAL fisheries staff where future works are discussed and advice provided on the level of fisheries interest within individual watercourses. The annual programme of maintenance carried out by the Agency is also publicly advertised and available on the Agency website (http://www.riversagencyni.gov.uk/). DCAL fisheries staff are the main point of contact for Angling Clubs and Fishery owners with concerns regarding works within their area.