

Minutes of 3rd Meeting

Northern Ireland Water Framework Directive Stakeholder Forum

1st February 2006



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Northern Ireland Water Framework Directive Stakeholder Forum

Crawfordsburn Countryside Centre

1 February 2006

Attendance: Forum Members

Stephen Peover	DOE – Chairperson
Sean Convery	Farming & Wildlife Advisory Group
Andrew Frazer	Harperstown Power Ltd
Sinead Furey	General Consumer Council NI
Joanne Gaffney	Aquaculture Initiative
Clifford Henry	DOE (EHS)
Uel Irwin	AES Kilroot
Dick James	NI Fish Producers Organisation Ltd
Marcus McAuley	DCAL
Nigel McCormick	DRD Water Reform Unit
Alex McGarel	Fresh Water Taskforce (WWF)
Ian Morrow	NI Chamber of Commerce & Industry
James Robinson	Fresh Water Taskforce (RSPB)
Aileen Smith	UFU
Claire Vincent	DOE (EPG)

Secretariat: Brenda Cuning DOE (EPG)

Apologies:

Michael Bell	NI Food & Drink Association
Gordon Best	Quarry Products Association
Karen McCambley	NILGA
Geoff McCormick	Arena Network
Andrew Sloan	NI Sports Council
Bob McMillen	NI Tourist Board
Alex Scullin	NI Agricultural Producers Association
David Small	DARD
Trevor Wright	Port of Larne

Presentations:

Lloyd Austin	RSPB Scotland
Angus McRobert	DOE (EHS)

Observers:

Roger Thompson	Rivers Agency
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1. Welcome

Stephen Peover (SP) opened the meeting by expressing the hope that the joint lunch and presentation to the Forum and members of the Implementation Working Group had been useful in developing linkages between the two groups. He welcomed Lloyd Austin, from RSPB Scotland as a guest speaker.

Before moving on to agenda items, the chairperson joined the Forum in expressing condolences on the death of Newell McCreight, and acknowledged his contribution to various groups, including the Ulster Angling Federation and the North Atlantic Salmon Fund NI.

It was agreed that some items on the agenda would be repositioned – the numbering of these minutes follows the new arrangement.

2. Minutes of Previous Meeting

The minutes of the 2nd meeting on 7 October 2005 were approved.

3. Matters arising not covered by Agenda

3.1 Septic Tanks

At the previous meeting of the Forum, during a discussion on septic tanks, EHS agreed to provide information on the number of prosecutions made in the last 10 years as a result of septic tank pollution incidents. Clifford Henry (CH) stated that there had been 2 prosecutions in this time. However, he went on to explain that this figure is from recollection only, as septic tank prosecutions are not held as a separate category on the EHS database. The database has a record of 1044 prosecutions for water pollution offences in the same 10-year period.

CH explained that the site-specific conditions in septic tank consents, if adhered to, ensure that pollution will not occur. Furthermore, individual septic tank problems tend to fall outside of EHS's prosecution guidelines and are more appropriately resolved by negotiating a programme of remedial action.

Andrew Frazer (AF) raised several issues regarding the regulation or enforcement of septic tanks, the design standards required and planning policy for septic tank approval. CH explained that while he was not involved in enforcement, there should not be a 'grey area' concerning pollution control and encouraged the use of the **EHS Water Pollution Hotline 0800 80 70 60**. He went on to say that design of septic tanks was continually being reviewed, with an increasing number being installed with secondary or tertiary treatment.

Marcus McAuley (MMcA) explained that DCAL comment on planning applications and raise concerns were the cumulative effects of a proliferation of septic tanks or the proximity of a septic tank to a sensitive salmonid spawning area might be harmful to fish. He clarified that FCB have a role in investigating pollution both as agents for EHS and in enforcing fisheries legislation where harm to fish is demonstrable.

A discussion followed regarding planning policy on the number of septic tanks permitted per area. Claire Vincent (CV) pointed out that Departments and Agencies, including the Planning Service were being asked to review their procedures in light of the Water Framework Directive. CH advised the Forum that guidance on septic tanks is available on the EHS website, for example, Pollution Prevention Guideline 4:

<http://www.ehsni.gov.uk/pubs/publications/PPG04.pdf>

James Robinson (JR) recommended that the proposed Diffuse Pollution Strategy take into account septic tank pollution and referred to the research work of David Wilcock, of the University of Ulster.

Action: DOE to check with Planning Service if numerical criteria are used in granting permission for septic tanks.

3.2 Connection to sewer

The above discussion also touched upon the issue of ensuring connection to sewer where possible, with Alex McGarel (AMcG) stating that there was a precedent for this in England. SP and CV advised that the issue has been raised following the previous meeting, and that the Forum will be kept informed of developments.

3.3 Review of Public Administration

SP acknowledged that there had been a major announcement on the Review of Public Administration since the previous meeting, and that while the future of certain services remained to be decided, the implications for WFD implementation were being looked at.

3.4 Abstraction Licensing proposals

CV explained that, following the last Forum meeting Gabriel Nelson (EHS) and Gerry Madden (EPG) had made a further presentation to members of the aquaculture sector. She went on to say that a wider meeting with abstractors was being planned for the end of February / beginning of March, at which time the proposals for the abstraction licensing scheme would be available for discussion. This would precede the intended consultation process.

AF requested that he be sent a copy of proposals as soon as possible, to enable him to discuss with colleagues prior to any meeting, and Joanne Gaffney (JG) expressed an interest in suggesting contacts for this meeting. It was put forward that a summary of the proposals would be sent to everyone with the meeting invitation.

Action: EPG to contact **AF** and **JG** for suggested abstraction / aquaculture contacts.

4. Recovery of costs for water services

Following a request at the previous Forum meeting, DRD Water Reform Unit circulated a paper on their proposals for compliance with Article 9 of the Directive i.e. recovery of costs for water services.

Nigel McCormick (NMCC) highlighted the key principles of the paper, which included that all customers will pay, total costs will be recovered, and that there will be no cross-subsidisation between domestic and non-domestic, water supply and sewerage services. He went on to explain that it was not the view of DRD Water Reform Unit that universal metering was required by the Directive.

In terms of incentives to use water resources more efficiently, the paper addresses the issue of metering for non-domestic and domestic sectors, and concludes that metering will be extended in the non-domestic sector, and that there will be a long-term transition to widespread domestic metering.

AmcG raised two issues. In response to the first, regarding discounts for large water users, NMCC advised that details would be available at the end of the year. The second issue was concerned with the potential for cross-subsidisation in terms of environmental costs i.e. even if pollution was caused by only one sector, the treatment costs would be borne by all the sectors.

NMcC replied that the area of environmental costs needed to be explored, as the costs to be recovered from users were the total costs incurred by the water company. He rhetorically asked whether the cost of pollution clean up should be borne by the company or by the polluter directly.

JR enquired as to whether the Water Reform Unit was planning on measuring environmental and resource costs. NMcC agreed that this was a broader debate and that there had been developments.

CV pointed out that DOE had a role to play in providing environmental information to DRD, to aid these decisions, and that more detail could be added to the paper in time.

There was more general discussion, with specific points and questions raised such as:

- the need to ensure meters are properly calibrated and verified;
- using water resources efficiently should mean less use;
- how much does a domestic meter cost – approximately £200, but less if house is 'meter ready'; and
- how often meters will be read.

The agenda item concluded with SP suggesting that the Water Framework Directive is aimed at improving water quality, which in turn should mean lower costs for treatment. He confirmed with NMcC that the charging scheme would be available for further discussion at the end of the year.

Action: All To provide comments back to DRD through the Forum secretariat on the paper.

Action: DOE to liaise with DRD Water Reform Unit regarding the issue of environmental costs.

Action: Water Reform Unit to address specific questions e.g. frequency of meter reading, future of water discounts etc. as information becomes available.

5. Scottish Stakeholder Perspective

Lloyd Austin (LA) from RSPB Scotland gave a short talk on his experiences as part of the Scottish WFD National Stakeholder Forum. This covered three areas; general observations, WFD in Scotland pros and cons, and lessons learnt.

The general observations included the need to know your stakeholders and their diversity (large or small, expertise level, influence), agree the purpose and limits of engagement, manage relationships, including understanding each other's constraints, and avoid consultation fatigue.

Engagement began very early in Scotland, before the Directive was made, enabling involvement in producing the Water Environment and Water Services (Scotland) Act 2003. LA outlined the changing nature of the stakeholder engagement in Scotland, beginning with the high-level National Forum, which generated two sub-groups (Regulatory and Economics). Formal and informal meetings were used to create good relationships. While it was not always clear whether the Scottish Executive acknowledged the views raised, LA felt it was possible to detect changes in policy.

The structure of engagement is morphing into National Advisory Groups (over the next year), as the focus moves from transposing the Directive to implementing River Basin Management Planning.

LA gave the lessons learnt in Scotland as being start early; keep talking and discussing issues, without delaying difficult issues; take into account cross-border complications; don't

be afraid of 'gold-plating' e.g. flood protection; and realising the role of the Scottish parliament, in raising the profile.

The Forum had a brief discussion of some of the issues raised, and thanked Lloyd for coming to the meeting with his insights and experiences.

6. River Basin District level co-ordination

Angus McRobert (AMcR) gave a presentation on a possible option for local level engagement, based on 'catchment' groups. He outlined that a Foyle Catchment Group had recently been established (December), in response to local level pressure for such a group, and that this model could be replicated in 7 other catchments.

The Forum agreed that the model for catchment based engagement made sense, as support for activity would be strong at local level. The issue of new council boundaries was raised, and SP reiterated that DOE had made a strong case for the new boundaries to take into account hydrometric areas, but that there were wider considerations which would prevail. It was mentioned that Local Authority areas in the Republic of Ireland are not an exact match to River Basin Districts either.

AMcR suggested that the 8 catchment groups could meet within their River Basin Districts, to aid formal RBD reporting. SP asked the Forum to consider how to populate these groups. Sean Convery (SC) suggested revisiting initial stakeholder contacts, and CH pointed out that existing groups would need to be contacted, and that the catchment groups, such as the Foyle, are to be led by operational staff within EHS.

CV asked the Forum members to consider the issue of catchment groups further, and prepare to discuss how to get local level involvement, with a view to taking forward the issue at a larger stakeholder event in June.

Action: Forum members to consider local level catchment based engagements for detailed discussion at next meeting in April.

7. Significant Water Management Issues

Brenda Cunning (BC) gave a presentation summarising the responses to the Significant Water Management Issues exercise. Eight responses have been received from the Forum (active and corresponding members) and one from the Implementation Working Group. The responses covered a wide range of issues and solutions, which were broadly grouped into categories such as Pollution, Communication, Poor Use of Water etc.

BC requested additional input from Forum members (by 31 March) and outlined that a summary report of responses would be produced, and specific issues discussed at the June stakeholder event.

Angus McRobert (AMcR) then gave a presentation on the work being undertaken by the UK Technical Advisory Group to produce a 'SWMI report' template. He stressed that the timeframe for completing the SWMI report would require a high level of activity over the next 16 months.

A general discussion followed, with SP encouraging engagement between now and the summer. He suggested the Forum look at the issue at its next meeting in April, and then it would be discussed further with the wider stakeholder group in June. Marcus McAuley (MMcA) stated that the Forum was key to completing the report, and suggested an entire Forum meeting should look at a summary of it.

AMcG asked if a gap analysis, of issues compared to existing / expected measures, would be carried out by June. CV explained that a gap analysis was being carried out by DOE and that Working Group members were being asked to do the same.

JG acknowledged that a lot of work was going on, in terms of classification, economics etc. However, she requested an update (perhaps by email) on each stage of the work, to enable Forum members to feed in.

Action: EPG/EHS to consider production of 'position report' ahead of each Forum meeting.

8. Workplan & Timetable for production of RBMP

Claire Vincent (CV) gave a presentation on progress towards the publication of the workplan and timetable for production of the River Basin Management Plan (due by December 2006). She outlined the content of 2 papers – one dealing with the Administrative Arrangements for the Delivery of WFD, the other an Implementation Strategy.

Both of these papers have been circulated to other Departments and Agencies for their input, and pose questions such as the steps required to ensure compliance with WFD. The Implementation Strategy will be further developed through meetings, and will be circulated to the Forum before the next meeting.

CV indicated that the June stakeholder event would be used to discuss the draft workplan and timetable, with a view to issuing a consultation in autumn 2006. SP asked the Forum if they were content with the process and timescales.

AMcG asked what would happen if Departments or Agencies were not resourced to take necessary steps towards compliance. SP replied that such considerations would go to Ministers and that the timing was useful in connection with the budget process (May/June).

9. AOB/Agenda Items Next Meeting

9.1 Minute sharing

It was agreed that minute sharing between the Forum and the Implementation Working Group would enable better linkages. Forum minutes (and presentations) are available on the Public Participation section of the WFD page on the EHS website. It is intended that Working Group minutes (and presentations) should also be available online.

9.2 Contacts sheets

Contact sheets were distributed to all Forum members present. They were asked to check the details, and return the sheet, indicating their agreement to their contact details being shared with other Forum members.

Action: Forum members to return contact sheets to Brenda Cunning.

Action: EPG will circulate contact details to all Forum members, in accordance with responses received.

9.3 Abstraction presentation feedback

It was agreed that Andrew Frazer would provide feedback to the Forum at its next meeting on the outcome of the proposed abstraction sector meeting in February / March.

9.4 Agenda items for Next Meeting

The next meeting will be held in the last week of April, with the main business being the arrangements for a wider stakeholder event to be held in June – focusing on catchment groups, SWMI input etc. Uel Irwin (UI) and Dick James (DJ) suggested holding the June event in the evening or on a weekend (to facilitate attendance by voluntary groups e.g. agriculture / fishing).

Brenda Cunning
8 February 2006