

Carlingford and Mourne Catchment Stakeholder Group

Minutes

Tuesday 12 May 2009

Venue: Altnaveigh House, Newry

Attendees:

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| 1. Judith Bankhead (JB) | Rivers Agency |
| 2. Catherine Bertrand (CB) | Mourne Heritage Trust |
| 3. John Best (JB) | Ulster Farmers Union |
| 4. David Clarke (DC) | Loughs Agency |
| 5. Emma Cunningham (EC) | Mourne Heritage Trust |
| 6. Colin Doherty (CD) | Northern Ireland Water (NIW) |
| 7. Dymphna Gallagher (DG) | Northern Ireland Water (NIW) |
| 8. Norman Henderson (NH) | Regional Operations, NIEA |
| 9. Mark Livingstone (ML) | Regional Operations, NIEA (Chair) |
| 10. Ronnie McCamley (RMcC) | Newry & District Angling Association |
| 11. Alison McCaw (AMcC) | River Basin Planning, NIEA |
| 12. Jonathan McKee (JMCK) | Rivers Agency, DARD |
| 13. Michael McKernan (MMcK) | Northern Ireland Water (NIW) |
| 14. Philip McMurray (PMcM) | Planning and Environmental Policy group, NIEA |
| 15. Eileen Mallon (EM) | Neagh Bann Catchment Officer, NIEA (Minutes) |
| 16. Danny Mussen (DM) | UBREP & Clonduff Angling Club |
| 17. Helen Nutt (HN) | North Eastern Catchment Officer, NIEA |
| 18. Damian O'Malley (DO'M) | Local resident |
| 19. Harry Rafferty (Ha.R) | Shimna Angling Club |
| 20. Helena Rafferty (He.R) | Newcastle Sustainable Planning Group |
| 21. Gordon Smyth (GS) | Northern Ireland Water (NIW) |
| 22. Keith Somerville (KS) | Planning Service, DOE |
| 23. Lee Stockman (LS) | Water Quality Inspector, NIEA |
| 24. Shane Teague (ST) | Water Quality Inspector, NIEA |
| 25. Wilfred Vaughan (WV) | Newry & District Angling Association |
| 26. Ian Watts (IW) | Shimna Angling Club |
| 27. Jim Watts (JW) | Senior Water Quality Inspector, NIEA |

1. **Welcome, introductions and action points from previous meeting.**

Mark Livingstone (ML) opened the meeting and welcomed all. The minutes of the last meeting were agreed and would be added to the Carlingford and Mourne Catchment Stakeholder Group website as an accurate record of the last meeting.

Presentation from Helen Nutt, NIEA; "Update on action points from the last meeting"

Helen Nutt (HN) gave an update on actions from the last Catchment Stakeholder Group (CSG) meeting held on the 25 November 2008. (Presentation 1)

Action 1: All to contact EM or HN with agenda items, suggested speakers etc. for future meetings.

HN stated that the minutes of the last meeting had been distributed to all and as no amendments had been received she proposed they would be added to the Carlingford and Mourne Catchment Stakeholder Group website as an accurate record of the last meeting. The minutes of the last meeting were approved.

Action 2: DG to investigate water supply disruption in the Cloghanrammer Road area and report back to GB.

Dymphna Gallagher (DG) informed the group that the dwelling in question was at a high elevation and unfortunately due to this positioning, if any disruption in supply was evident in the system, it would be the first to experience problems. DG added the problem was being addressed directly, out side of the meeting, with George Berry (GB).

Action 2.1: NIW CSG group members (DG/MMcK/CMcC) to ensure interested local stakeholders are provided with the opportunity to be involved in consultation process regarding NIW works in the Newcastle area.

HN said that NIEA and NIW have been in discussion regarding the issue of Newcastle's Planning issues. She said that NIEA and NIW had concluded that new connections to the sewer would not be recommended by NIW except for those where previous commitment had been given or where any proposal would reduce the loading on the sewer.

DG suggested that as plans developed, the CSG meetings should be used as a platform to update interested stakeholders. She said that planning issues were up for discussion with the council next week.

Michael McKernan (MMcK) said that there was a need for the statutory bodies to scope the options and therefore NIW were at the early stages of engaging with other bodies. The aim was to have the works completed by 2012.

Action 2.2: HN to raise concerns regarding Bathing Water season and related monitoring with NIEA colleagues.

HN had raised the groups concerns with the Bathing Water Team and the DOE Planning and Environment Policy Group (PEPG) who would be meeting with Tidy NI. The Bathing Water Directive is currently under review and comments raised by the group may be considered in this review. HN suggested that anyone with further concerns regarding the Bathing Water in Newcastle contact her and she would ensure their comments were taken into consideration.

ACTION 1: Stakeholders with further concerns regarding the Bathing Water in Newcastle to contact HN to enable comments to be passed to PEPG.

Action 2.2: CB to provide details of biodiversity stakeholder forum to DG.

Action completed, DG attended biodiversity stakeholder forum

Action 2.3: ML to contact Down District Council to seek their position on the location of the proposed storm tanks in Newcastle.

This issue centres around land acquisition and discussions are ongoing with planners, and Down District Council. A decision has not been made.

Action 2.4: HN to investigate communication links between NIEA, Planning Service and NIW regarding Newcastle planning, environment and water quality issues.

HN reported that there are a number of existing communication links and these were progressing well especially in the last few months.

Action 3.1: NIEA to organize RBMP information days to discuss the RBMP's with a subgroup of the CSG.

NIEA held a series of 6 water information days throughout NI. HN acknowledged that this particular geographical area may have been poorly represented by the choice of information day locations but hoped that group members would avail of other opportunities of other events such as the Balmoral Show.

Action 4: All with specific examples of local water management issues to contact pollution hotline (0800 807060) or catchment officers (EM or HN) so they can be addressed.

This action was ongoing. HN encouraged the reporting of pollution incidents via the hotline number and if stakeholders had any other catchment related issues they were invited to contact HN or EM the local catchment officers.

Action 5: EM and HN to arrange suitable venue, encourage key players to become involved and invite all in attendance to spring 2009 meeting.

HN closed by asking members to contact her or EM with any agenda items, suggested speakers etc. for future meetings.

2. Local Pollution Issues

Regional Update – Jim Watts Senior Water Quality Inspector. (NIEA)

Since the last Mourne Carlingford Catchment meeting JW informed the group that 71 reports of water pollution within the catchment had been investigated. These incidents could be broken down into the following sources:-

Industrial – 26, NIWL – 11, Agriculture – 12, Domestic – 9 Other – 13.

NB. The 'other' category includes mostly unsubstantiated incidents and incidents reported which were as a result of natural causes.

PROSECUTIONS

- A farmer was successfully prosecuted for discharging silage effluent into a tributary of the Clanrye River in Mayobridge. Fine of £2,000.
- NIWL was successfully prosecuted for discharging sewage into a tributary of Lough Ross in Crossmaglen. Fine of £5,000.
- A Company was successfully prosecuted for discharging whey into a tributary of the Bessbrook River. Fine of £5,000.

JW said that a hearing was due in Newry Court on 14 May against a company for discharging sewage into a tributary of the Clanrye River in the Rathfriland Area. He said that there were six other cases in the Mourne and Carlingford area at various stages of completion through the prosecution process.

JW said that six tripartite statutory samples with view to prosecution had been collected of discharges from various sources since the last meeting.

- On 8 February a statutory sample was collected with view to prosecution of a discharge of sewage effluent in Kilkeel.
- On 11 March a statutory sample was collected with view to prosecution of a discharge of a white effluent into the Newry River in Carnbane Industrial Estate.
- On 19 March a statutory sample was collected with view to prosecution of a discharge of a blue coloured effluent. The discharge was to a tributary of the Bessbrook River at Millvale Road in Newry.
- On 27 March a statutory sample was collected with view to prosecution of a discharge of heavily silted water into a tributary of the Bessbrook River in Newry.
- On 22 April a statutory sample was collected with view to prosecution of a discharge of heavily silted water into the Moneycarragh River in the Ballywill area.
- On 1 May a statutory sample was collected with view to prosecution of a discharge of oil into Newry Canal in the vicinity of WIN Industrial Estate.

JW said that the Pollution Prevention Team had been carrying out inspections in the Carnbane Industrial Estate. They had completed 10 visits to date, 9 low risk and 1 high risk. The high risk site has now been downgraded to low risk and a pre-notice had been issued. He said that the works requested in the pre-notice had been completed within 14 days.

JW said that the team would like to have completed more visits but two days were taken up by investigating pollution incidents. In one of these instances the team discovered a

pollution incident which resulted in the local field staff collecting a tripartite statutory sample with view to prosecution.

The Pollution Prevention Team will continue to inspect Carnbane Industrial Estate one day a week until all sites have been visited.

Discussion

Ronnie McCamley (RMCC) welcomed that NIEA pollution prevention team were carrying out visits, once a week, to the Carnbane Industrial Estate, but raised concern regarding pollution incidents occurring during the weekends. JW replied that the role of the pollution prevention team was to reduce the risk of pollution coming from the estate and asked that any active pollution incidents occurring at any time be reported via the 24 hr pollution hotline as usual.

ML invited those with any local issues to contact himself, JW and his team through the pollution hotline (0800 807060) or the catchment officers so they could be addressed.

3. Draft River Basin Management Plans (dRBMP) Consultation – Introduction and scene setting.

Presentation from Alison McCaw River Basin Planning Group, NIEA

Alison gave a presentation which was a brief overview of the process that has resulted in the publication of the draft plan. The current state of classification and the targets were outlined.

4. Group discussion focused on the dRBMP Consultation Questions.

AMcC outlined the draft River Basin Management Plan for the Carlingford and Mourne area. She said that one of the key processes in successfully implementing the plan and improving water quality was to work effectively with local stakeholders. A series of six River Basin Management Plan information days had been held during March, April and May 2009.

AMcC give a brief overview of the plans and reminded those attending that the consultation period ended on the 22 June 2009.

The group looked at the six consultation questions which are detailed in the dRBMP Consultation Documents. The following questions were considered in relation to the Neagh Bann and North Eastern draft River Basin Management Plans, the document that relates to the Carlingford and Mourne Catchment Stakeholder Group.

1. *Do you agree with the objectives and level of improvement set for Northern Ireland's water environment?*
2. *Have we identified the most significant pressures affecting the water environment?*
3. *Have we identified all the important existing measures that are being used to address these issues? Please identify any important existing measures that we have missed.*
4. *Can you identify new or existing measures or initiatives, at a regional or local level that you or your organisation can help deliver?*
5. *What suggestions do you have to improve the linkages this plan has with other relevant plans and programmes?*
6. *Do you have any suggestions to further develop and enhance arrangements for all interested parties to work together on the implementation of the plan?*

It was explained that the outcome of these discussions would be presented to NIEA as a record of the Carlingford and Mourne Catchment Stakeholder Group's response to the draft River Basin Management Plan Consultation.

ACTION 2: Eileen Mallon and Helen Nutt to ensure that feedback to the dRBMP Consultation questions is recorded as an official response from the Carlingford and Mourne Catchment Stakeholder Group.

5. Feedback Session

The group was asked to provide comment on the dRBMP consultation questions – the comments are summarised below –

1. Do you agree with the objectives and level of improvement set for Northern Ireland's water environment?

- Is it achievable? Ambitious?
- What are the barriers to these targets?
- Resources regulations, monitoring difficult for a lay person know how realistic.
- Agreed that as a vision it should be supported.
- How confident are NIEA about meeting targets? - % confidence.
- Will more resources be made available if it appears NIEA will be unable to meet targets within the timeline?
- Aiming high to be commended.
- Puts pressure on other stakeholders to aim high.
- Need to look at monitoring action.
- How many factors are actually within NIEA's control?
- Hopefully profile of large pollution incidents in press will reduce large pollution incidents.
- New legislation will be required in some cases e.g. morphology.
- What happens if we miss targets?
- European wide - Plan will be audited by EU which without good reasons for failure of targets may lead to infraction.
- Funding secured by other parties e.g. Northern Ireland Water (NIW), is key. Therefore NIW involved in developing dRBMPs.
- Agriculture also involved e.g. Nitrate Vulnerable Zones (NVZs), cross compliance, Nitrate Action Programme (NAP) and Planning Area Plans (PAPs).
- Targets set during good economic weather. Will these in the current economic climate, with the reduced amount of money around, be realistic?
- It is difficult to assess if the objectives will be achieved on a regional basis.
- Has a reality check on the costs and resource implication of reaching the objectives been carried out?
- NIW is happy with the ambitious objectives as this aids the case when bidding for resources.
- Will the plans produce a linear improvement in water quality?
- One off severe pollution incidents can have a dramatic effect on water quality and have the potential to seriously affect reaching the objectives. Will allowances be made for factors like this when reporting to the EU on targets achieved.
- Is additional legislation needed to reach the objectives?

2. Have we identified the most significant pressures affecting the water environment?

- Pesticides – industry – forestry and farming with respect to drinking water catchments.
- Invasive alien species: hogweed and weed on lake, namely: McCourt's Lake, Poyntzpass.
- Local specific information and action. Presence and impact – assessed.
- All sectors down as involved, but is there a lead? (Could fall between stools.)
- Road run off.
- Gaps in legislation are significant pressures.
- Litter and dumping in river – "trolley fish". "Gap" in legislation – filled.
- Loughs Agency "Adopt a Stream" Scheme – Questions
- Morphology – Falls between legislation stools.
- Like diffuse pollution conglomeration/ aggregated effect – will bring to Loughs' Agency to tighten legislation. Ask NIEA to do the same.
- Cumulative effect – Rivers Agency and Loughs Agency feeding into developing solitude.

- Bank erosion – flood damage washing away banks. No funding currently available for angling clubs to tackle problem. – Case of nature versus control.
 - Climate change.
 - Sediments in watercourses.
 - Forestry felling close to watercourses, desire for protection measures. – Implementation of best practice measures.
 - Problem of effective control of invasive species adjacent to water bodies (were spraying is not permitted) physical removal is resource intensive.
 - Councils need to become more involved in invasive species control.
 - There is a gap in the legislation governing morphology of waterbodies. Taking from the river bed is covered by legislation but putting something into the river is not. Entire river reaches, bank and bed have been changed. No account or monitoring of the accumulative effect of this.
3. **Have we identified all the important existing measures that are being used to address these issues? Please identify any important existing measures we have missed.**
- Is there still a role for Rivers Agency with culverting?
 - Piece meal nature of measures.
 - Forestry buffer zone – clarify. Does not provide vegetation protection. Local Landscape Policy Area (LLPA) – River corridor systems.
 - Area of Townscape Character (ATC). Planning designations need to be more protective.
 - Areas of Special Scientific Interest (ASSIs) also need to be more protective as they are still declining in condition.
 - Protected area designations are not protective enough.
 - RBMP will be considered in Planning Area Plans (PAP). - In future, but not the current PAPs in existence. Working to integrate objectives in future area plans, e.g. Newcastle hard surface drainage will directly enter the Shimna.
 - Carrying capacities do planning service know what this is? Will they take Action where NIEA and NIW advise?
 - Support existing measures.
 - Rivers should have designated protection or buffer zones.
 - Planning Service ignore, or in some cases don't even know what the carrying capacity of the waterbody is, yet housing development are permitted against NIW advice.
4. **Can you identify new or existing measures or initiatives, at a regional or local level that you or your organisation can help deliver?**
- Need more education and awareness of the RBMP's - NIEA now no longer have Environmental Educators and this role is vital from school level up.
 - Biodiversity Officers limited contracts and limited number of councils have uptake.
 - NIW "bag it and bin it" education programme.
 - Landfill tax fund. WWF.
 - Salmon in classroom.
 - Education resources on website.
 - Presentation from Rivers Involving People Places and Leading by Example (RIPPLE) to educate and enthuse.
 - Local councils need to be brought in, with a role and involvement for them.
 - Councils continue to pursue.
 - Projects Aiming to Improve Aquatic Resources (PAIRS).
 - Increase support of NGO's need to promote RBMP's
 - Need more adult awareness – need more locally specific information
5. **What suggestions do you have to improve the linkages this plan has with other relevant plans and programmes?**
- Integrating Planning Service Plans.

- Agriculture plans.
 - Plans to work in rivers with all stakeholders, affected statutory consultees and beyond.
 - Hydro-electric schemes specifically.
 - Application process fairly new, which is regulated through NIEA.
 - Linkages between government organisations and bodies. Loughs' Agency is not a statutory consultee here.
 - Making individuals with public bodies know, who need to know and don't always know. Talk to right individuals with big organisations is difficult.
 - Implementation group for Water Framework Directive (WFD) at a higher level – four government departments named in WFD.
 - Risk – local council reorganisation
 - Better communication within departments is needed.
6. **Do you have any suggestions to further develop and enhance arrangements for all interested parties to work together on the implementation of the plan?**
- River trust being promoted through NIEA e.g. RIPPLE – Ballinderry.
7. **Have you any other issues regarding the wider environment which may impacted on by the River Basin Management Plans?**
- Transferring problems from implementation of a different piece of legislation.
 - Is the effect of the RBMP's on public health being considered?
8. **Close**
ML thanked all for attending and closed the meeting

Summary of actions from the meeting:

	Action	Update
ACTION 2	Stakeholders with further concerns regarding the Bathing Water in Newcastle to contact HN to enable comments to be passed to PEPG	All and HN
ACTION 4	Eileen Mallon and Helen Nutt to ensure that feedback to the dRBMP Consultation questions is recorded as an official response from the Carlingford and Mourne Catchment Stakeholder Group.	Completed
Actions from feedback session discussions:		
	EM to contact RMcC regarding invasive species problems at Lough Shark (McCourt's) and the Newry River.	EM contacted RMcC - information and contacts provided.
	Outstanding requests for presentations e.g. RIPPLE to be considered for future CSG agenda.	RIPPLE presentation postponed to another meeting due to full agenda.
	Councils to be contacted and encouraged to attend CSG meetings.	EM & HN. Chief Executive and Chairs of each Council Environmental Committee have been invited.

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