

Carlingford and Mourne Catchment Stakeholder Group

Minutes

Tuesday 25 November 2008

Venue: WIN Business Park, Newry

Attendees:

Norman Henderson (NH)	Regional Operations, NIEA
Mark Livingstone (ML)	Regional Operations, NIEA (Chair)
Eileen Mallon (EM)	Neagh Bann Catchment Officer, NIEA (Minutes)
Alison McCaw (AMcC)	River Basin Planning, NIEA (Presenter)
Helen Nutt (HN)	North Eastern Catchment Officer, NIEA (Note-taker)
Conor McGuinness (CMCG)	Water Quality Inspector, NIEA
Shane Teague (ST)	Water Quality Inspector, NIEA
Jim Watts (JW)	Senior Water Quality Inspector, NIEA
Judith Bankhead (JB)	Rivers Agency
David Berry (DB)	
George Berry (GB)	
Catherine Bertrand (CB)	Mourne Heritage Trust
James Campbell (JC)	Down District Council & Council for Nature Conservation and Countryside (CNCC)
David Clarke (DC)	Loughs Agency
William Cromie (WC)	Ulster Farmers Union
Raymond Dougal (RD)	Emerald Mussels Ltd
Dymphna Gallagher (DG)	Northern Ireland Water (NIW) (Presenter)
Martin Johnston (MJ)	Waste Management, NIEA
Gerard Kelly (GK)	Fresco Seafoods
Allan Kilgore (AK)	Kilkeel Angling Club & Ulster Angling Federation
Peter Lynch (PL)	Inland Fisheries, DCAL
Robbie Marshall (RM)	Ulster Angling Federation
Ronnie McCamley (RMcC)	Newry & District Angling Association
Colin McLoughlin (CMcL)	Northern Ireland Water
Jonathan McKee (JMck)	Rivers Agency, DARD
Michael McKernan (MMck)	Northern Ireland Water (NIW)
Alan Morrow (AM)	Countryside Management, DARD
Danny Mussen (DM)	UBREP & Clonduff Angling Club
Mark Parker (MP)	Forestry Service, DARD
Harry Rafferty (Ha.R)	Shimna Angling Club
Helena Rafferty (He.R)	Newcastle Sustainable Planning Group
Keith Somerville (KS)	Planning Service, DOE
Ben Taylor (BT)	Friends of the River Bann
Ian Watts (IW)	Shimna Angling Club
Garth Williams (GW)	Lagan Ferrovial

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

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

ML outlined the agenda and asked if those attending had additions which they would like to have added to the agenda under Any Other Business. Helen Nutt (HN) asked the group to ensure they completed the contact sheet and feedback forms that would be circulated during the meeting. She also encouraged the group to provide feedback on the draft River Basins Management Plans (dRBMPs) which would be available on the 22 December 2008.



HN gave an update on actions from the last Catchment Stakeholder Group (CSG) meeting held on the 30th April 2008.

ML commented on Action 5.1 that a Memorandum of Understanding (MOU) with Fisheries Conservancy Board (FCB) and DCAL officers in relation to dealing with pollution incidents was being developed. He added that he was confident that water bailiffs would be used more effectively in the future. The discussions regarding this issue were ongoing and were open to all to provide comment either at this meeting or at a sub group meeting if necessary. Allan Kilgore (AK) asked ML to clarify the timescales involved. ML replied the process would hopefully happen over the next 3 months. A draft paper would be available for comment in the near future. As the issue was of a fairly sensitive nature it was necessary to give it due care and handling. He acknowledged the importance of water bailiffs and referred to a case in the Ballymena area in which the only source of evidence available was provided by a water bailiff.

HN reported on Action 6.4 and thanked Dymphna Gallagher (DG), from Northern Ireland Water who had agreed to provide a presentation to the meeting.

A discussion took place regarding Action 6.3 HN informed the meeting that she had handouts outlining the results of the official Bathing Water monitoring which were distributed at the meeting. Helena Rafferty (He.R) referred to a newspaper article published in the Sunday Times in August which was based on water quality results in April 2008 which she said clearly demonstrated the problems of the Bathing Water at Newcastle. HN commented that the official Bathing Water monitoring season started in June and April was therefore outside of the European Directive required monitored season. He.R replied that the April results were part of a national survey in which 3 beaches had failed to reach safe standards. Newcastle had failed to reach the minimum standards set and she said this would have an adverse effect on the area's economy, in particular tourism. He.R said that the report told people not to go near the beach. He.R said that to add to the problem 129 housing units where being considered by Downpatrick Divisional Planning Office, even though NIEA advice clearly states that no further planning applications should be approved in the areas until the currents problems with sewage management were resolved. ML suggested that discussions on the topic be continued as part of DG's presentation which would specifically refer to the Newcastle area.

HN continued to provide feedback on the other action points. She encouraged attendees to complete and submit Projects Aiming to Improve aquatic ReSources (PAIRS) forms. She thanked Alison McCaw (AMcC) for agreeing to provide a presentation in relation to Action 7.2. This presentation would also fulfill Action 7.3 from the last meeting. HN said that all Divisional Planning Service Managers had been and would continue to be invited to provide representation at all CSG's in accordance with Action 7.4. HN welcomed and thanked Keith Somerville (KS) from Planning Service for attending the meeting. HN closed by asking members to contact her or Eileen Mallon (EM) with any agenda items, suggested speakers etc. for future meetings.

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

ML stated that the minutes of the last meeting had been distributed to all and as no amendments had been received he proposed approval. The minutes of the last meeting were approved. ML added he viewed this engagement as a rolling process and therefore welcomed feedback, comments and queries at anytime.

2. Investing for the environment - Dymphna Gallagher, Northern Ireland Water (NIW)



DG introduced the NIW Strategic Business Plan 2007-2010, which outlined NIW's outcomes, value for money and prioritisation for spend, which was overseen and agreed with the economic regulator to ensure value for money. DG reported that NIW achieved 91% compliance of the NI Water Order numerical consents through the year.

DG then referred specifically to the Newcastle area. She informed the group of the Burren River pumping station upgrade. She said that the contract had been awarded and work would commence in a couple of weeks with completion in around 9 months. A draft submission regarding the Newcastle Waste Water Treatment Works (WWTW) upgrade would be sent to the utility regulator in December 2008. She said that additional tidal modeling would be added to inform the outfall design and location. She said that progress would then depend on funding approval, stakeholder and utility regulator feedback. She said that overall NIW had set a target of an 11% reduction in pollution incidents which would be a challenging target. DG then welcomed questions from the group.

George Berry (GB) referred to 17 incidents he had experienced where his water supply, on the Cloghanrammer Road, had been stopped due to water mains bursting from January to June since 2005. He said that he had had an interrupted water supply on up to 100 days in any year. He commented that he had received very poor service from the NIW response line. DG replied that she was not aware of his individual case but would take further details from him and look into this case.

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

A comment was made that NIW's target to reduce the number of pollution incidents by 11% was meaningless as it was the severity not the number of incidents that was important. DG addressed the comment by informing the group that the 11% reduction applied to the number of high and medium severity incidents therefore number and severity of incidents were both targeted.

Jim Watts (JW) asked for progress on the works upgrade at Annesborough. DG replied this works was just about ready to commission.

AK queried how the dependence on obtaining funding impacted on future NIW works. DG commented the statutory business plan states the agreed priorities for works and funding. Michael McKernan (MMcK) commented that the department of Regional Development would have to find the money required in the absence of water charges.

DG stated that plans for the Newcastle works depended on funding. The WWTW were complying with the Water Order consent. She said that there are 5 points within the Drainage Area Plan; (a) sewage network upgrading, (b) South Promenade sewer replacement scheme, (c) Downs Road storm attenuation scheme (Autumn 2010), (d) Burren River pumping station, and (e) Murlough pumping station upgrade (Autumn 2009).

He.R asked if there was to be provision for storage tanks within the plan. MMcK replied that the local Council had agreed in principle that they were necessary but hadn't agreed on the location. He said that the tanks would be key to reducing peak storm flow levels. He said that the works is designed for a larger capacity than it currently takes and that disinfection was not required at present. DG said that NIW and NIEA are working closely in relation to the outfall location which may improve the situation.

He.R asked for clarification on the provision of storage tanks. MMcK confirmed that storage tanks would be provided subject to obtaining the necessary lands. Harry Rafferty (Ha.R) asked if the tanks would be located in Castle Park and if underground tanks would be used. He said that if this were to be the case he would have concerns regarding possible pollution incidents given that the Shimna joined Castle Park, and the Burren River had been polluted before. He said that pollution could occur in the installation phase, through leakages, via



flooding events etc. DG explained that there were difficulties in obtaining appropriate sites but that all sites would be risk assessed. She said that the site in Castle Park would need planning permission and would undergo a consultation process. He.R welcomed the opportunity to receive explanations and consultations on this matter from NIW. ML asked that as a group could He.R and Ha.R be assured that that they would get the opportunity to be consulted on NIW's plans for Newcastle.

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.

Robbie Marshall (RM) stated that local angling clubs would appreciate it if NIW consulted with stakeholders directly and not rely on the planning service consultation process for their involvement. He said that if local clubs could be involved from the early stages of a scheme it would prove very valuable. ML agreed with RM. DG stated NIW had 'taken time out' to consult with stakeholders tonight and felt it was beneficial to consult.

The issue of the public using the beaches for sporting and recreational activities outside the monitored Bathing Water Season, when the bacterial levels were unknown was discussed. The current reporting period for Bathing Water monitoring is from June to mid-Sept.

AK said that with regard to the set Bathing Water season and related monitoring that with wetsuit,, jet-skiers, windsurfers, surfers and bathers were now in the water all year round and that there was no longer a three month bathing season. Members of the group agreed that this was something that needed to be considered by NIEA and suggested that monitoring may need to be adjusted accordingly to ensure water quality was sufficient for year round safe quality.

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

Catherine Bertrand (CB) suggested that factors such as biodiversity, landscape, environmental legislation etc. had not been mentioned. She said that these and other factors need to be examined at a catchment level. DG replied that NIW work within the requirements of the Habitats Directive and that they had an Environmental Management System (EMS) team which examines biodiversity issues. She said that NIW also conducted work regarding the economics within catchments and DG informed the meeting that Jackie Morgan would be speaking at a seminar later on in the week regarding economics in catchment. DG said that NIW were also working with NIEA to improve their water safety plans. CB mentioned a biodiversity stakeholder forum was to be held in the area and DG asked to be provided with further details of this.

Action 2.3: CB to provide details of biodiversity stakeholder forum to DG.

A discussion took place regarding the sewage outfall and the provision of storm tanks at Newcastle. In relation to the outfall Ian Watts (IW) stated that in 1970 the Urban Council in the Newcastle area conducted tests to determine where the sewage outfall should be located. He queried why further clarification on the outfall location was needed. MMcK replied that additional modeling had been completed and that NIW were reviewing this. He said that there may be more advantageous locations for the outfall and any review of relocation of the outfall would have to be carried out with NIEA's approval.

In relation to the storm tanks IW mentioned possible locations under consideration may include Council owned lands under the boating lake at Castle Park and at the bowling green on the Bryansford Road. ML offered as a group to contact the Council to seek their position on the location of the proposed storm tanks. He.R commented that the Council may feel



that they are not sufficiently briefed or have the technical competencies to make the decision on location.

Action 2.4: ML to contact Down District Council to seek their position on the location of the proposed storm tanks in Newcastle.

Action 2.5: HN to investigate communication links between NIEA, Planning Service and NIW regarding Newcastle planning, environment and water quality issues.

3. River Basin Management Plans. Alison McCaw (NIEA)

AMcC outlined the River Basin Plan for the Carlingford and Mourne area. She said that overall 17% of the waterbodies in the area were presently designated as being of good or better water quality and 83% below this. She said that one of the key processes in successfully implementing the plan and improving water quality was to work effectively with local stakeholders. She said that a series of River Basin Management Plan information days would be held in 2009 and encouraged those attending to give their opinion on what form these days should take.

AK enquired if data on Spelga was available. AMcC stated that data was available on lakes of 50ha or over and that Spelga was just outside of Carlingford and Mourne area and was located in the Upper Neagh Bann Catchment Stakeholder Group area.

DB stated that a public enquiry was held in the Mourne Country Hotel where the meeting was told the Clanrye River would not be affected by the proposed roadworks and that the river was now piped. He asked what the point of having public meetings was if companies can do what they like regardless. He said that Lagan Ferrovia should compensate the Newry anglers for the damage they have done to the river.

Ronnie McCamley (RMcC) stated that he had used the NIEA hotline (0800 807060) to report incidents such as that on the Tardree Road in relation to silt build up and that this problem had been addressed. ML commented that it was good to see Lagan Ferrovia in attendance at the meeting and thanked them for being there to listen to local people's concerns. He said that NIEA were working with Lagan Ferrovia on a number of road projects to resolve some difficult issues.

Garth Williams (GW) stated that works on the A1 were progressing via the Environmental impact Assessment (EIA) requirements and under the supervision of an environmental designer. He said that Lagan Ferrovia had made approaches to NIEA and the Ulster Angling Federation (UAF) and were open to engage with third parties at all times.

DB stated the initial EIA recommended that the Clanrye was not piped and that now it was. He said that newts, frogs, bats habitats etc had all been damaged by the works. ML suggested that DB discuss any specific concerns directly with Lagan Ferrovia as NIEA could not discuss as details were sub-judice. GW replied that Lagan Ferrovia had completed works such as relocating badgers and other mitigating measures had been put in place and had been commented on by numerous consultants. He said that at no time did Lagan Ferrovia willfully go against the EIA.

ML stated he appreciated the concerns raised and informed the meeting that NIEA had met or investigated concerns of water pollution associated with construction works with the A5 road works on 31 occasions since 2007 and another meeting was to be held later in the week with Lagan Ferrovia and the Ulster Angling Federation to discuss such issues.

AK emphasised the need for Planning Service to take a key role in implementing the RBMPs. AMcC acknowledged that bodies such as Planning Service must be involved in a two way integration process. She said that the RBMPs are the NIEA equivalent of Planning Service's



area plans. She said that if a proposed application was deemed to have the potential to reduce a waterbody's status then the RBMPs would become a material consideration for planning. She said that as new area plans were developed the RBMPs would be given increasing consideration.

RM asked if given the current situation, with 17% of our rivers in good or high condition and 83% in moderate or worse, would existing systems under direct rule which are not working be changed to improve these results. He said that the UAF had highlighted the problem of increased development adding to already overloaded Waste Water Treatment Works (WWTW). He said that NIEA may advise against development but that it could go ahead anyway. He said that there is a need for all Government Departments to pull together to achieve good status by 2015. ML replied that if the objectives set in the plans were not achieved then the UK would be infringed so compliance was paramount.

He.R stated that documents have been sent to planning service by River Agency advising that a 5m strip is needed to enable maintenance of watercourses. She said that Rivers Agency maybe giving the advice but that Planning Service is not heeding it. She asked what powers if any do Rivers Agency have to ensure Planning Service acts on this advice.

KS replied that in the past were Rivers Agency have requested a 5m strip Planning Service have accommodated this on one side of the watercourse as it is not required on both sides. KS stated he couldn't provide comment on individual properties that he was not aware of. He said that all consultation responses are considered by Planning Service.

AK added that the development of river corridors by Rivers Agency would be a practical measure which would help to protect river habitats. Protection of the river for wildlife, anglers and to enable maintenance would also discourage dumping and should be part and parcel of the RBMPs. AMcC welcomed the comments and feedback and said that they were an important part of the consultation process.

RM suggested that to benefit fully as a Catchment Stakeholder Group (CSG) a working group be established to gather thoughts, opinions and suggestions on the plans which could then be presented to the CSG meeting.

ML replied that consideration would be given to this suggestion and he was happy to cooperate in looking at programmes of measure for specific rivers. ML invited those interested to contact Eileen Mallon or Helen Nutt who are the catchment officers for the area.

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

AMcC suggested the working group could also look at the format of the information days. RM asked for clarification of the date the RBMPs would be released. AMcC informed the meeting they would be available as previously stated on the 22 Dec 2008 through the NIEA website.

David Clarke (DC) asked if any waterbodies within the Carlingford and Mourne area were classified as Heavily Modified Water Bodies (HMWBs). AMcC replied that the Silent Valley and Newry Estuary were heavily modified i.e. physically altered for human use. She said that a separate designation process was required but that all HMWBs would have to reach Good Ecological Potential.

RMcC enquired if the cleaning and rewatering of the Newry Canal, which would help flood alleviation, was under the remit of NIEA. ML replied that this was mainly an issue for Waterways Ireland.



4. Local Pollution Issues

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

JM reported that since the last Carlingford and Mourne meeting 132 reports of water pollution had been investigated within the catchment, i.e. 24 industrial, 35 NIW related, 25 agricultural, 22 domestic and 26 other miscellaneous incidents

A farmer in the Loughbrickland area has been successfully prosecuted and fined £1750 for polluting a tributary of Loughbrickland Lake with slurry.

There are also quite a number of cases at varying stages which are being prepared with view to prosecution i.e. cases relating to agricultural pollution in a tributary of the Clanrye River, and 2 in tributaries of the Bessbrook River. Cases relating to sewage pollution from companies in the Crossmaglen, Rathfriland and Kilkeel areas have also been prepared

Statutory samples relating to agricultural pollution have also been taken in the Mayobridge and Annalong areas and statutory samples relating to sewage pollution have also been taken in the Clanrye, Kilkeel Rivers and in the Crossmaglen area.

RMCC congratulated JW and his team on the success of their work. Norman Henderson (NH) commented that the long term trends showed a decrease in the number of pollution incidents, with half the number of incidents in recent times compared to that seen 10 years ago. Peter Lynch (PL) also added his congratulations to JW and his team.

Alan Morrow (AM) stated that the last published figures also showed a reduction in the number of pollution incidents attributed to agriculture. He said that DARD was successfully raising awareness through the publication of the Codes of Good Agricultural Practice (CoGAP), use of press articles etc. He said that the Northern Ireland Countryside Management Scheme (NICMS) involved completion of on farm pollution audits and water options to enhance the riparian environment. HN said that are keen to publicise pollution events to raise awareness of problems. She said that NIEA use press releases to highlight successful prosecutions for high severity pollution incidents.

DC commented that Loughs Agency also publicise details of their prosecution cases. Like NIEA they also operate a 24hr number for reporting pollution incidents.

ML added that the number of pollution incidents may have fallen, but the number of court cases being taken has risen. He said that 90 statutory samples have been taken with a view to prosecution in 2008. JW added that to ensure successful prosecutions sufficient evidence was needed as the case had to be proven beyond reasonable doubt.

NIEA had developed some very good programmes and had worked effectively with FCB, Rivers Agency, DCAL etc to address issues such as the major fish kill on the Six Mile Water. 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.

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.

5. Close

ML thanked all for attending and suggested if anyone required copies of the last meeting minutes or action points to contact HN or EM.

ML closed the meeting at 10:05pm

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



Summary of actions from the meeting:

Ref	Action	Update
1	All to contact Eileen Mallon or Helen Nutt with agenda items, suggested speakers etc. for future meetings.	Ongoing
2	Dymphna Gallagher to investigate water supply disruption in the Cloghanrammer Road area and report back to George Berry.	Update to be given at the next meeting.
2.1	NIW CSG group members (Dymphna Gallagher/ Michael McKernan/ Colin McLoughlin) to ensure interested local stakeholders are provided with the opportunity to be involved in consultation process regarding NIW works in the Newcastle area.	Update to be given at the next meeting.
2.2	Helen Nutt to raise concerns regarding Bathing Water season and related monitoring with NIEA colleagues.	Update to be given at the next meeting.
2.3	Catherine Bertrand to provide details of biodiversity stakeholder forum to Dymphna Gallagher.	Complete.
2.4	Mark Livingstone to contact Down District Council to seek their position on the location of the proposed storm tanks in Newcastle.	Update to be given at the next meeting.
2.5	Helen Nutt to investigate communication links between NIEA, Planning Service and NIW regarding Newcastle planning, environment and water quality issues.	Update to be given at the next meeting.
3.1	NIEA to organize RBMP information days to discuss the RBMP's with a subgroup of the CSG.	Ongoing
4	All with specific examples of local water management issues to contact pollution hotline (0800 807060) or catchment officers (Eileen Mallon or Helen Nutt) so they can be addressed.	Ongoing
5.	Eileen Mallon and Helen Nutt to arrange suitable venue, encourage key players to become involved and invite all in attendance to Spring meeting.	Ongoing: EM and HN reviewing invitation list & organising venue etc.

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