

[Draft] Minutes of 16th Meeting

Northern Ireland Water Framework Directive Stakeholder Forum

Calvert House, Belfast

9 June 2009

Attendance:

Peter Archdale	CNCC
Ryan Bartlett	DRD Water Policy
Siobhan Bowers	DARD Environmental Policy
William Caldwell	DOE - PEPG
Claire Cockerill	Freshwater Task Force (WWF)
Sean Convery	FWAG
Anthony Courtney	DOE (PEPG)
Brian Ervine	DARD Environmental Policy
Joanne Gaffney	Aquaculture Initiative
Angela Halpenny	NI Water
David Knott	Port of Belfast
Aileen Lawson	Ulster Farmers Union
John Martin	Freshwater Task Force (RSPB)
Robbie Marshall	UAF
Heather Mawhinney	AES Kilroot
Philip McMurray	DOE (PEPG)
Emma Neill	DOE (PEPG)
Gabriel Nelson	DOE (NIEA)
Jennifer Robinson	General Consumer Council

Apologies:

Michael Bell	NIFDA
Uel Irwin	AES Kilroot
Ann McGregor	NICCI
Bob McMillen	NI Tourist Board
David Wright	DCAL Fisheries

1. Minutes of Previous Meeting

The minutes of the 15th meeting on 3rd March 2009 were approved. William Caldwell (WC) welcomed everyone to the meeting.

2. Matters arising from minutes & updates paper

There were two matters arising with regard to the updates paper- Peter Archdale (PA) stated that he regarded the paper as informative and suggested that it would be beneficial to have the paper available at each of the CSG meetings. PA continued, stating that he would appreciate some advance knowledge and detail of the information and issues contained within the paper, and suggested that a lot of the information in the updates paper superseded information contained within the draft RBMPs.

Gabriel Nelson (GN) responded by stating that this was inevitable as the process of implementing the WFD isn't a static one. Joanne Gaffney (JG) suggested that the updates paper should be made more widespread, and should be accessible from the web.

Claire Cockerill (CC) asked for a more detailed update on the Floods Directive to be included in the paper on a consistent basis. CC stated that she had met with Rivers Agency officials on 8 June. WC stated that PEPG had been in contact with Pat Aldridge from the Rivers Agency and had received information relating to the Floods Directive. WC advised members that transposition of the Directive is being taken forward through Secondary Legislation to meet the Floods Directive timescale of November 2009. Public consultation is programmed to commence in July 2009 for a period of 3 months. WC concluded on the matter by stating that the inaugural meeting of the NI Floods Directive Stakeholder Group will be held on 24th June 2009.

Action: An update on the Floods Directive to be included in the future forum updates paper.

Action: The updates paper to be placed on the DOE website and circulated at CSG meetings.

3. Draft RBMP Consultation Participation Events

GN gave an overview of the consultation events that had taken place since the last forum meeting in preparation for the consultation finishing on 22 June. GN discussed the water Information Days that had taken place, stating that there had been a mixed response in terms of numbers attending the events, though those who did attend provided positive feedback. GN suggested that for the future, NIEA would look at altering their approach to such events to try and encourage greater numbers to attend.

GN then talked about the Catchment Stakeholder Group meetings that had taken place in the nine catchments. GN stated that, with the exception of the Upper Foyle, the meetings were chaired by staff from NIEA, though added that efforts had been made to attract independent chairpersons for future meetings. Robbie Marshall (RM) enquired as to how NIEA were seeking to do this. GN responded by stating that the issue had been brought up at previous meetings and that ideally nominations should be being brought forward formally before CSG meetings. RM stated that he believed more proactive efforts should

be made in trying to obtain independent chairpersons including going to stakeholder groups and asking them to nominate individuals. Philip McMurray (PmcM) stated that at the Newry CSG meeting, the chairperson had asked those attending to submit nominations for an independent chairperson for the catchment group. Aileen Lawson (AL) put forward the view that the CSG chairperson should come with the backing of the entire catchment stakeholder group, rather than RM's suggestion of NIEA approaching individual NGOs.

RM questioned the level of participation between stakeholders and NIEA. GN replied that this is a developing process and that, increasingly, detailed engagement with stakeholders would be important during the implementation of the RBMPs.

David Knott (DK) enquired as to whether the CSGs need more publicity. GN responded by stating that NIEA had sought to raise the profile of the CSGs and while this had proven difficult, would continue to try and learn from the approach of the RIPPLE project. Aileen Lawson added that she believed that it had proven difficult to get full engagement with the public regarding the WFD as the agricultural sector had little involvement in the process due to other priorities.

PA stated that he believed that the CSGs are trying to be educational while also seeking to obtain information and ideas from stakeholders. He further added that he believed that the CSGs are not serving their original purpose which is to assist with the implementation of the WFD. PA continued that the draft RBMPs don't identify and detail the specific pressures impacting upon individual water bodies. PA suggested that the bottom-up approach taken by the RIPPLE project would be more beneficial than the top-down approach taken by the draft RBMPs. DK conveyed that over consultation was a hindering factor in getting full public engagement. CC put forward the idea that becoming involved in other existing forums would be a potential approach to reaching sectors not currently engaged on WFD. GN stated that NIEA would like to do more and would continue to encourage public participation, for example, through considering the development of working groups similar to Rivers Trust.

RM then questioned whether the Stakeholder Forum had met the aims of its Terms of Reference and also asked for an update at the next Forum meeting of how the final plans had been influenced by consultation responses. In reference to the Terms of Reference, John Martin (JM) asked whether they are evaluated on a yearly basis and suggested that they should be reviewed. WC informed the Forum that any member can bring forward the issue and agreed that the terms of Reference be reviewed. WC added that he found it disappointing that strong views had been expressed that there was a lack of engagement between the Department and the Stakeholders. He then gave a brief overview of the different efforts made by the Department to engage with stakeholders including the SWMI evenings, Forum meetings, CSG meetings and Water Information Days. WC further added that the emphasis is on the stakeholders and public to avail of these opportunities to put forward ideas and issues and get involved with the CSG meetings.

JM acknowledged that implementing WFD is a difficult task and that NIEA are perhaps under resourced. However he felt that stakeholder's opinions and comments hadn't been reflected in the draft RBMPs. RM added that there is a feeling of discontent amongst stakeholders that points raised at the SWMI events haven't been included in the draft plans. PA agreed with this point though added that this may not be the case with the final plans, in which he hoped to see more traceability from the plan consultation events and responses. He further added that it was difficult to access and use the web mapping tool in the West of the country due to broadband problems. Joanne Gaffney agreed with this point.

GN stated that he was happy to take suggestions about the best way forward to getting the detail contained in the web mapping tool into the public domain, and encouraged the forum to make it clear where the draft RBMPs fell down in their responses to the consultation.

PA responded that the plans didn't detail how the problem of septic tanks would be addressed. AL conveyed that there had been presentations on this issue at previous meetings. AL continued by stressing that it was important generally to have a balance in the process and ensure that economic interests are also adequately represented. GN responded regarding septic tanks saying that the draft plans do make reference to this issue and that NIEA are currently funding work in this area as part of their Septic Tank study. GN confirmed that a presentation on the study would be given at the next Forum meeting.

DK reiterated his belief that some sectors are not engaged in the process. Sean Convery (SC) added that many people don't see water quality as a massive issue and wouldn't get involved in the WFD process unless they could get involved in projects on the ground affecting them. He added that there may be appropriate Interreg IV funding available, suggesting that angling and farming groups could form trusts focussing on water quality issues.

CC suggested that the final plans should be more localised. GN responded that the RBMPs would provide the basis for creating 26 local area management plans, which would be more specific in terms of identifying the problems and resources relevant to each area. GN added that the first RBMPs have a 6 year timeframe, and NIEA are taking a structured phased approach to implementing the plans.

PA suggested that NIEA could have a role in terms of leading groups funded under Interreg IV. JG added that she believed that funding bodies are reluctant to give directly to groups and therefore there would be a need for a body to manage such a group.

DK added that if Universities wish to get involved this also strengthens funding bids. PA mentioned the Countryside Management Scheme, and AL stated this voluntary scheme had been successful, though it may be difficult to expand the programme due to a lack of resources. JM suggested that a more targeted approach should be taken. Brian Ervine (BE) stated it was important to remember that 13,000 farmers covering 40% of land were involved in agri-environment schemes and that DARD were determined to involve more farmers.

AL asked for the list of membership for the group to be re-circulated.

Action: Terms of Reference for the Stakeholder Forum to be reviewed.

Action: List of membership of the group to be re-circulated.

4. Draft RBMP Consultation- Discussion and feedback from Forum members

WC asked the members to discuss each of the consultation questions on the draft RBMPs.

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

AL began by stating that she was content with the level of ambition contained within the draft plans overall, though did query whether the objectives set for Lough Neagh and Lower Erne by 2027 were too ambitious.

Concerning the Nitrates Action Plan PA raised the question of whether it was feasible to put nutrients on land and not have them end up in water. SC believed that the Nitrates Directive does not view or quantify the value of slurry as a viable resource and that he envisaged farmers being made a scapegoat for failures to improve water quality.

JG expressed her disappointment that the economic analysis for the RBMPs had not been completed. JM felt that farmers may be hit hard in the future to compensate for the lack of action identified over certain areas in the draft RBMPs. AL responded by stating that she felt that there was nothing lacking in the draft plans and that the measures identified were reasonable and needed to be given time to work. DK added that the measures identified in the draft plans were legislation heavy. CC stated that she felt the ambition of the plans should be fully consistent with the WFD and that economic studies were needed to justify additional measures.

SC stated that he felt that the measures currently in place would result in an improvement in water quality, and that the draft plans were underselling what could be achieved. SC added that he believed an outside institute should look at the levels of improvement being nominated. RM felt that the levels of ambition in the draft plans were too low as more action is required now to deal with some of the problems facing water bodies such as Lough Neagh/Erne. PA acknowledged that NIEA can't afford to improve the status of every water body immediately, though questioned the level of prioritisation in the plans. GN stressed that the biggest factor preventing progress on improving certain water bodies was technical infeasibility rather than cost as there is a level of uncertainty as to the cause of problems. GN agreed that many of the solutions to problems may come through current programmes.

CC stated that she felt the plans should contain greater transparency around what the real issues affecting individual water bodies are. RM questioned whether NIEA knew where phosphate in water bodies such as Lough Erne was coming from. GN responded by stating that Phosphorous budgets were available for Northern Ireland and that NIEA could provide information relating to the source of phosphates in Lough Erne.

RM and JM enquired as to whether there will be further opportunities for the group to have an influence on the plans. AL stated that the consultation process provides such an opportunity and reiterated her earlier point that it was important for the final plans to have a balanced view representative of all the groups affected by and involved in their implementation. GN stated that he would update the group on the consultation responses received at the next Forum meeting, adding that the ambition of Northern Ireland was the highest in the UK and significantly higher than other member states.

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

JG stated that the issue of existing Combined Sewer Overflows is important and made reference to a recent AFBI sanitary survey that took place on Belfast Lough which indicated that the sewage system wasn't coping well on rainy days. JG further added that storm overflows were causing problems for shellfish waters, citing Carlingford as an example. JG also expressed the view that the UWWT Directive only dealt with large discharges.

Angela Halpenny (AH) explained that there is a Drainage Area Study group in place and that NI Water and NIEA were agreeing plans on collection systems. GN added that there were constraints on budgets which added to the difficulty in solving problems with CSOs.

The issue of fluidized dredge being deposited into waters and not being covered by FEPA was raised. GN stated that FEPA is to be amended and this may bridge the gap on this issue.

JM stated that the Programme of Measures should have more integration with the issue of climate change. RM added that the effects of climate change on flow rates haven't been analysed. GN acknowledged that the plans could say more about climate change. He added that if the ecology of water bodies changes during the second WFD cycle due to climate change, the plans and measures can be developed to reflect this. NIEA is organising a workshop on Climate Change in June from which the main points and findings will be circulated to the forum.

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.

PA and RM stated that the quality of monitoring was an important issue and felt that the current system doesn't pick up all of the pollution incidents taking place. GN responded by describing the range of monitoring being conducted by NIEA including chemical monitoring, invertebrate sampling and macrophyte monitoring. CC felt that there should be increased compliance and enforcement around monitoring. RM added that there was little deterrent against polluting as the enforcement policies following pollution incidents are weak.

Can you identify new or existing measures or initiatives, at a regional or local level that you or your organisation can help deliver?

RM put forward the idea of Private Water Bailiffs carrying out sampling as it would reduce the burden on NIEA and in many cases it was the local bailiffs that currently discover and report incidents. SC added that he felt this was a good way to give stakeholders responsibility.

AL stated that the UFU had been working with voluntary initiatives aimed at educating its members.

JM felt that a Rivers campaign could be a useful resource as it would enable the sharing of different management plans.

What suggestions do you have to improve the linkages this plan has with other relevant plans and programmes?

SC stated that the EU Biodiversity Strategy should be well represented in the plans. DK felt that there were clear linkages with some several Planning Policy Statements. PA stated the RPA planning reform issue, while not affecting the final plans in December, would have a big effect on the delivery of the plans. GN agreed, saying that NIEA want planners involved in the process before RPA happens.

JM added that it would be a good idea to include details in the updates paper of how the RBMPs overlap with other directives/work areas and also to prioritize the work programmes included in the updates paper.

Do you have any suggestions to further develop and enhance arrangements for all interested parties to work together on the implementation of the plan?

RM expressed the view that if the final plans contain enhanced objectives, it would stimulate more interest from groups.

PA suggested that the plans do not take a holistic view of Irelands shared waters. GN responded to this by making reference to the 'Working Together' documents that contained a summary of stats for the whole IRBDs, and produced objectives for the shared bodies. GN added that a meeting on the cross border aspect of the plans will take place at the end of June.

JM enquired as to whether the Stakeholder Forum members could be updated on the main action points of the meeting. WC stated that he was unsure of the protocol for disclosing this information and would discuss it with colleagues at the meeting.

Action: WC to enquire as to possible circulation of minutes of North South WFD Co-ordination Group meeting.

Action: GN to circulate main findings/ key points discussed at the forthcoming Climate Change Workshop.

5. AOB and Date of next meeting

It was proposed that the next meeting take place on 15th September 2009 at 2pm.

Actions Summary

Agenda Item	Action	Responsibility
2	An update on the Floods Directive to be included in the future forum updates paper.	PEPG
2	The updates paper to be placed on the DOE website and circulated at CSG meetings.	PEPG/NIEA
3	Terms of Reference for the Stakeholder Forum to be reviewed.	PEPG/NIEA
3	List of membership of the group to be re-circulated	PEPG
4	WC to enquire as to possible circulation of minutes of North South WFD Co-ordination Group meeting	PEPG
4	Findings/ key points discussed at the forthcoming Climate Change Workshop to be circulated to the Group	PEPG/NIEA