

Minutes of 4th Meeting

Northern Ireland Water Framework Directive Stakeholder Forum

24th April 2006



An Agency within the Department of the
Environment
www.doeni.gov.uk



INVESTOR IN PEOPLE



**Environment &
Heritage Service**
www.ehsni.gov.uk

Minutes of 4th Meeting

Northern Ireland Water Framework Directive Stakeholder Forum

Clarence Court, Belfast

24 April 2006

Attendance: Forum Members

Claire Vincent	DOE (EPG) - 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
Marcus McAuley	DCAL
Martin McKee	DRD Water Reform Unit
Bob McMillen	NI Tourist Board
Robbie Marshall	Fresh Water Taskforce (UAF)
Ian Morrow	NI Chamber of Commerce & Industry
James Robinson	Fresh Water Taskforce (RSPB)
Trevor Wright	Port of Larne

Secretariat: Brenda Cuning DOE (EPG)

Apologies:

Michael Bell	NI Food & Drink Association
Gordon Best	Quarry Products Association
Dick James	NI Fish Producers Organisation Ltd
Karen McCambley	NILGA
Geoff McCormick	Arena Network
Stephen Peover	DOE
Alex Scullin	NI Agricultural Producers Association
Andrew Sloan	NI Sports Council
David Small	DARD
Aileen Smith	UFU

Observers:

Eric Glasgow	Upperlands Community Hydro-electric
--------------	-------------------------------------

1. Minutes of Previous Meeting

Claire Vincent (CV) opened the meeting by extending apologies from Stephen Peover for being unable to attend, and welcomed new members to the Forum. The minutes of the 3rd meeting on 1 February 2006 were approved.

2. Matters arising not covered by Agenda

2.1 Septic Tanks

At the previous meeting of the Forum, an action was raised regarding the criteria used by Planning Service in granting permission for septic tanks. Clifford Henry (CH) advised the Forum that this action had not yet been taken forward, but that a more formal answer would be given at the next meeting.

2.2 DRD recovery of costs paper

At the previous 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. Martin McKee informed the Forum that the current focus was on preparation for consultation on the draft Water Reform legislation (planned to commence in June), and that water charging would be introduced from April 2007. It is intended that the charging arrangements for April 2007 will be announced at the end of 2006.

CV urged members of the Forum to consider the paper, and submit comments to DRD via the Forum secretariat (in line with action from previous minutes). DOE has already input views on the proposals and has specific concerns on the lack of data presented in support of DRD's policy position.

James Robinson (JR) noted that more Water Reform deadlines could be included in the draft WFD Implementation Strategy, for instance dates for consultation, announcements etc. under section 6 (Economics).

Action: EPG to liaise with Water Reform Unit regarding key deadlines to be included within draft WFD Implementation Strategy.

2.3 Environmental Costs Liaison

CV advised the Forum that discussions were taking place on the UK level regarding the definition of 'water services' and how far water charging should go. DOE and DRD are involved in this process and the Forum will be kept advised of developments. The current DEFRA view is that the definition of water services should be kept narrow to avoid a situation where particular sectors are being charged twice (i.e. through their water charges and also through the programme of measures applicable to their sector).

2.4 EPG/EHS 'position report'

During the previous meeting, Joanne Gaffney (JG) enquired whether updates of ongoing activities could be circulated to the Forum on a regular basis. CV apologised that this hadn't happened yet, and agreed that a simple update (e.g. a paragraph on each issue) would be helpful.

3. Feedback from Abstraction Licensing Information Seminar, 29th March

Due to the high level of interest in the proposed abstraction licensing regime, DOE held an information seminar on Wednesday 29th March at Loughry College. Andrew Frazer (AF) attended the seminar in his capacity as representative of the British Hydropower Association, and on his own behalf as operator of a hydro-power business. AF outlined the main concerns of non-consumptive users at the seminar (e.g. time limited licence, no compensation, affect on Water Rights etc.), and gave a detailed presentation on his views of the environmental impact of hydro-power generation. He posed 5 questions, for which he requested a response from the DOE.

- What product i.e. improvement to the aquatic environment, are we going to see as a result of the introduction of these licences and how is the Department going to measure it?
- Why can the Department not accept that the hydro-power industry has no effect that is detrimental to water status and why can the Department not utilise the exemption contained in Article 11 (3)(e)?
- In the light of the Department's proposals at Cookstown, how does it intend to protect the interests of those affected by the regulations as in Article 20 Paragraph (3)(f) and Paragraph(4) of the Water (Northern Ireland) Order 1999?
- What is good water status in the heavily modified water bodies of N. Ireland and what is the impact of morphological changes on chemical and biological status in such water bodies?
- How does the Department justify a system of charges unless there is a significant and demonstrable improvement in water status attributable to the abstraction and impoundment licences?

Action: DOE to respond to questions put forward by Andrew Frazer.

AF concluded by suggesting that a working group be established, involving EHS and the British Hydro-power Association, to consider issues relating to non-consumptive users. The full text of his presentation is available on the WFD Public Participation section of the Environment & Heritage Service website. After the meeting, other non-consumptive users expressed an interest in being included any further meetings for this sector (Aquaculture Initiative, Ulster Anglers Federation).

Action: EHS to consider establishment of non-consumptive working group.

JG told the Forum that she had also been present at the seminar, representing another non-consumptive sector (aquaculture). She queried the 2-phase consultation process, with legislation being consulted on separately from charging schemes. CV responded that this offered an opportunity to shape the eventual charging schemes, especially in connection with non-consumptive users.

Marcus McAuley (MMcA) highlighted that while the Fisheries Act was strong on protection measures, it did not provide control over the quantity of water abstracted from a water-body. Without an abstraction licensing system in place, the rights of all water users, consumptive and non-consumptive, cannot be adequately protected.

JR stressed the importance of transparency, and the need for a good scientific base for making decisions on good status etc.

4. Feedback on Rural Development meeting, 5th April

DARD ran a seminar on 5th April at Greenmount College, to look at the development of the new Rural Development Plan, which will run from 2007. JR explained that as the existing

plan is coming to an end, and given the timeframe of the new plan, there were discussions on how Rural Development could be widened to address WFD issues. For example, agri-environment schemes being used to assist in meeting the 2015 target, opportunity to look for ways to restore wetlands, assisting farmers for water improvement actions etc.

Ideas were put forward at the seminar on delivering more targeted action in problem areas, restoring wetlands/floodplains, and collective action incentives. JR stressed that now was a good opportunity to get WFD embedded in agri-environment schemes, and through LEADER funding for Rural Community development.

CV expressed the view that there were encouraging signs that what was happening on the land was being recognised as being connected to the 'catchment'. SC believed that more imagination and 'added value' need to be brought to the revamped schemes, such as Catchment Sensitive Areas Farming. He said that stakeholders need to keep pressure on, to ensure that multiple benefits would be delivered and that money would be spent to optimum effect.

JR pointed out that if this opportunity was missed to influence the RDS, it would be a several years until the next review. SC wanted to put forward that legislation is not always the best avenue and that a whole section of the community needed to be encouraged.

It was agreed that the Forum should issue a letter to DARD regarding the review of Rural Development, putting across such points.

Action: James Robinson & Sean Convery to draft letter & circulate.

5. Update on Significant Water Management Issues

CH gave a brief update on the progress towards development the Significant Water Management Issues report. He explained that technical work (such as monitoring under the "further characterisation" process) was ongoing within EHS. The SWMI report would be looking beyond water quality issues, by also dealing with issues on the management of water, such as investment. He said that the June stakeholder event would help to develop the SWMI report by looking at national and local-level issues.

AF asked if there had been any additional SWMI exercise submissions since the previous meeting. Brenda Cuning (BC) confirmed that there had been 2 more.

6. Draft WFD Implementation Strategy

CV explained that the draft Implementation Strategy was still undergoing changes, through comments being received and discussions being held with other departments and agencies. She asked the members of the Forum to read the draft document and input their comments by the end of May.

Action: All Forum members to provide comments on strategy by 31st May 2006.

JG had queries regarding the economic significance test and how that related to the Shellfish Waters Directive. She noted that it was listed as a supplementary measure, not as a basic measure under the WFD. She recognised that the Directive would be repealed in 2013 but that the Shellfish Waters Directive has been law since 1979.

CV said that it was less than satisfactory that the review of shellfish waters consultation had been put back, and that economic work was ongoing on the issue. JG stated that it must be made clear to fish farmers what the economic information being requested through returns was being used for.

7. Discussion on arrangements for June stakeholder event

A brief outline of the proposed objectives and format for the June stakeholder event was circulated and Forum members were asked to discuss the arrangements for the event. They were also asked to consider who should be invited to the event and to put forward contacts.

During the discussion that followed, it was agreed that the event should begin by explaining what River Basin Management Planning might look like in Northern Ireland. This idea was developed further with the idea of a 'source to sea' presentation, following water through the landscape, highlighting key pressures etc. along the way.

The use of data from real catchments was suggested, along with using a video to travel 'downstream'. It was put forward that benefits should be highlighted, along with possible solutions, not just the problems faced.

An edited version of the objectives and format is attached at Annex A to these minutes.

Action: All Forum members to consider invitee list for event and put forward additional contacts by Friday 26th May.

8. AOB/Agenda Items Next Meeting

8.1 Discharge from hatcheries run by fishing clubs

Robbie Marshall (RM) raised the issue of fishing clubs, who operate hatcheries, being required to pay for monitoring of discharges. He pointed out that such hatcheries would not pollute river systems they were trying to enhance and that such charges were a financial burden. He urged that groups aiming to improve rivers, water quality and tourism should not be penalised.

CV encouraged RM to take the issue up with the EHS Water Management Unit and suggested he write to the head of the unit (Dave Foster) to put forward his concerns.

Action: Brenda Cunning to forward contact details for head of WMU to Robbie Marshall.

8.2 Personnel reassignment

CV advised the Forum that she has now been reassigned to EHS Water Management Unit and that she has been replaced within Environmental Policy Group by William Caldwell.

8.3 Date of next meeting

It was agreed that the next meeting of the Forum would be held immediately after the close of the June stakeholder event.

Brenda Cunning
22. May 2006

Water Framework Directive Stakeholder Event – June 2006

Objectives:

- To facilitate the set-up of EHS catchment groups, and encourage local-level engagement;
- To explain the ‘source to sea’ approach of River Basin Management Planning, while delivering a range of updates on administrative, technical and policy issues;
- To identify local level Significant Water Management Issues;
- To preview the consultation on the workplan etc. proposed for September.

Format:

- Presentations – updates, what’s been happening in the last 12-18 months.
 - Range of topics, covered in brief, detailing where more information available.

This should be done in the context of ‘source to sea’ River Basin Management Planning – to give stakeholders a ‘real’ idea of what it might look like in NI.

- Presentation – “local-level engagement: why & how”.
 - Should outline the context/need for local engagement;
 - The proposed structure – 8 catchment groups, EHS river basin district co-ordinators;
 - Stress that this level of engagement needs to be driven at ground-level, not by government (through EHS);
 - Example – the Foyle Forum;
 - Explain the discussion exercise.

This should aim to present benefits (in real terms if possible i.e. jobs, money).

- Discussion – divide attendees into 8 “catchment” groups, with a selection of questions or activities to address.
 - Introductions – interests and experience of ‘water management’;
 - Do you identify with any particular water-bodies in your catchment / area (e.g. River Bann, Lough Erne)?
 - Are you aware of any issues or problems in these waterbodies, or in your catchment / area in general?
 - Do you think that the issue/problem is present just in that water-body, or your catchment / area, or do you think it affects other waterbodies or areas in Northern Ireland?
 - How are people involved in solving these problems within your catchment / area?
 - What would help or encourage people to get involved?
 - Do you have contacts within your catchment / area?
- Feedback session from discussion groups – summary.

- Presentation – “how to get involved”
 - An example of ground-level activity in a catchment.
 - Funding – examples of funding available.
 - Who to contact, or who will be in contact.

- Presentation – “plans for future stakeholder engagement”
 - Briefly outline workplan/timetable requirement in WFD.
 - Outline plan to publish this early (September rather than December 2006) as a consultation.
 - September consultation will also include information on inter-Departmental work (based on the Implementation Strategy), progress on local-level engagement, and a list of consultation measures which will be undertaken in connection with the River Basin Management Plans.

- Discussion – divide into 8 catchment groups, or 3 River Basin District groups to discuss the proposed consultation on the workplan and timetable, and specifically to discuss the most appropriate consultation measures.

- Feedback from discussion session, and close of event.