

Quick Reference:

Issue	Key dates / progress
POMs subgroup	Next meeting 19 November 2007
Implementation Working Group	Next meeting 12 December 2007
Inter-Departmental Board	Next meeting 20 November 2007
North-South Co-ordination Group	Next meeting 4 December 2007
Catchment Stakeholder Groups	Meetings ongoing to 28 November 2007
Article 9 – cost recovery	Independent Water Review Panel second report due in December
Environmental Standards	Awaiting final reports from UKTAG
Groundwater Daughter Directive	Expect to consult early 2008 on regulations
Hydromorphological Controls	Ongoing inter-agency discussions
Priority Substances	European negotiations ongoing
Significant Water Management Issues report	Comments invited by 22 December 2007
Abstraction & Impoundment Licensing	Charging consultation expect late 2007 / early 2008. Awareness raising ongoing
Integrated Coastal Zone Management	Booklets to be published in December 2007, website being developed to go live late 2007, conference proposed spring 2008.
Flood Management Policy Review	Response drafting ongoing – completion expected March 2008
Marine Aggregate Extraction	Consultation due on level of fees
Marine Bill	Announcement by end of year (pending Assembly discussions)
Nitrates Directive	Decision on derogation to be transposed by early 2008
Non-Agricultural Diffuse Water Pollution	Aim to consult on proposals in early 2008
NI Rural Development Programme	Work ongoing to finalise measure delivery details and amend legislation
Planning Policy Statement 2	Seeking clearance of revised draft in autumn 2007
Planning Policy Statement 14	Policy provisions reissued by DOE pending completion of policy review
Septic Tanks	Update to be added
Shellfish Waters Directive	Discussions to commence
Sustainable Drainage Systems (SuDS)	Draft strategy with steering group

WFD Update Paper to WFD Stakeholder Forum

This Paper provides a brief update on a range of activities which have been ongoing since the last Forum meeting (September 2007) and highlights some areas of future work. Further information on these issues is available if required and further updates will be made for future Forum meetings.

1. Working with other Government Departments

The **Programmes of Measures (POMs) Sub-group** (comprised of officials from various Departments with WFD interests and responsibilities) met for the second time on 16 October 2007. The next meeting is due to be held on 19 November for which sub-group members have been asked to complete a 'catalogue' of basic measures, as an initial contribution to the development of a section on Programmes of Measures for the draft River Basin Management Plans.

The **Implementation Working Group** met on 17 October 2007. The agenda included discussion on environmental standards and objective setting, key dates leading to the production of draft River Basin Management Plans (RBMP) and stakeholder engagement. The next meeting will be held on 12 December 2007.

The **Inter-departmental Implementation Board** is due to meet on 20 November 2007. Agenda items will include progress towards the draft River Basin Management Plans, WFD Fish Monitoring and initial feedback from the Water Matters evenings. The Board will also be updated on the activities of the IWG and Forum.

2. Co-ordination in International River Basin Districts

The **North South Water Framework Directive Coordination Group** meets quarterly – the latest meeting was on 4 September, with the next scheduled for 4 December 2007. The agenda covered preparations for the North-South Ministerial Council Environment sector meeting, updates on environmental standards, the NS SHARE project and INTERREG 4 funding, public participation activities, and the application of Strategic Environmental Assessment (SEA) to RBMPs.

3. Stakeholder / Public Participation

To date, 5 of the Water Matters / Catchment Stakeholder Group (CSG) evening meetings have been held. The remaining 4 will be held at 7pm on:

Upper Neagh Bann	Armagh City Hotel, Armagh	Wed 7 th Nov
Bush & Glens	Marine Hotel, Ballycastle	Wed 14 th Nov
Carlingford & Mournes	Canal Court Hotel, Newry	Wed 21 st Nov
Strangford & Lecale	Strangford Arms Hotel, Newtownards	Wed 28 th Nov

Attendance has ranged from 30 to 75 people, representing various 'sectors' including agriculture, angling, hydropower operators, eNGOs, district councils, colleges, industry, NI Water and government departments / agencies. The format has been for an independent

facilitator to lead the participants through the 8 sections of the Water Matters (or SWMI) report, asking for comments on the issues outlined, the proposed actions etc.

During the evening, participants have been invited to give their views directly through an open floor session, through a smaller group table discussion, by writing comments on post-its and by completing questionnaires. The independent facilitator has been asked to compile a report for DOE on the comments made, which will be made available online early in 2008.

On the whole, feedback on the events has been very positive, with a number of people offering to take part in future CSG meetings (which will take place every 6 months).

In Ireland, evening meetings on the theme Water Matters have also been held, with the most recent on 6 November in Monaghan for the North Western / Neagh Bann IRBDs. Details of these events were circulated to Forum members.

4. WFD Activities

Article 9 – Cost recovery & Incentive Pricing

Following the return to devolution, the Independent Water Review Panel was established in May 2007, to carry out a review of the arrangements for the delivery of water and sewerage services in Northern Ireland:

<http://www.iwrp-ni.org.uk/>

The IWRP Strand One report proposes that current domestic metering plans should be discontinued for the foreseeable future. It goes on to say that, before metering is considered, an appraisal of its costs and benefits relative to other conservation measures should be undertaken. A debate on metering is necessary given that several challengeable assumptions were made about metering, such as what it can contribute to the environment, the reduction to bills for water and sewerage services that it will cause, and its tendency towards encouraging water conservation. The Executive have not taken a view on that position. However, they may do so when the second phase of the panel's report is published in December.

In 2008/09 there will be full recognition that domestic rates revenue makes a contribution to the funding of water and sewerage services and this will represent householders only contribution to water and sewerage services with the balance paid from the NI Block. Additional contributions will be required from householders from 2009/10 (i.e. above the existing amounts identified within the domestic regional rate).

In addition to the existing contribution from the regional rate, domestic consumers will also pay two thirds of the balance of income required to fully fund water and sewerage services in 2009/10 and the full balance the year after.

Environmental Standards (Phase 1 and 2)

UKTAG are currently finalising phase 2 of the environmental standards, following the stakeholder technical review, which opened on 28 June. This was originally planned to close on 8 August. However, UKTAG extended the deadline for comments.

We were expecting to issue a consultation on phase 1 and 2 of the standards this autumn. However, this has been delayed pending the final reports from UKTAG on its recommendations.

Groundwater Daughter Directive

Under the Water Framework Directive, the European Commission proposed the introduction of specific measures to prevent and control groundwater pollution and achieve good groundwater chemical status. The Groundwater Daughter Directive, adopted on 12 December 2006, establishes criteria for assessing the chemical status and for identifying and reversing upward trends in pollution of groundwater bodies.

A consultation exercise is anticipated for early next year on Regulations to transpose the Groundwater Daughter Directive.

Hydromorphological Controls

WFD requires control of changes to the physical characteristics of water bodies, where these changes have an ecological impact which could interfere with meeting the objectives of WFD. EHS and PEPG are looking at the current mechanisms in place for controlling these hydromorphological changes, which to date has involved discussions with other departments and agencies (e.g. Planning Service, DCAL, Rivers Agency).

Priority Substances Daughter Directive

Under Article 16 of WFD, the Commission was required to put forward proposals by December 2006 for measures to address pollution by 'priority substances'. This will result in the adoption of a 'daughter directive', which will be then be transposed into national legislation.

The detailed progress in the negotiations can be followed through [Pre-Lex](#). The main stages are listed below:

22 May 2007: [European Parliament - First Reading adoption - see amendments](#)

28 June 2007: [Environment Council – Political Agreement](#)

The negotiations are now going into Second Reading which is likely to take place in the first half of 2008.

Significant Water Management Issues Report (SWMI)

The SWMI reports, under the title "Water Matters, Have your say" were published on 22 June 2007, and have been circulated electronically and in hard-copy. Advertisements were placed in newspapers and summary leaflets have been produced, to encourage as much feedback as possible on the reports. Forum members were asked to highlight the SWMI reports through their websites, publications and offices. Additional copies of the reports and the leaflets are available. Comments are requested by 22 December 2007.

5. Related Policy Issues / Legislation

Abstraction and Impoundment Licensing

A separate consultation paper on the proposed charging scheme will be issued by EHS in late 2007 / early 2008, subject to Ministerial approval.

In addition, an awareness raising strategy is currently being implemented by EHS, to publicise the new licensing scheme. Stakeholder groups consisting of representatives from Water Management Unit and each of the main sectors (including NIW, agriculture, aquaculture and hydropower) have been established to examine the issues in complying with the new regulations.

Integrated Coastal Zone Management (ICZM)

The Coastal and Marine Forum (CMF) meets four times per annum – the latest meeting was on 19th September.

Work is currently at an advanced stage on the publication of two booklets. The first relates the background to ICZM leading to the formation of the CMF. The second is snapshot of Northern Ireland's Maritime Heritage. These booklets are due to be published in December 2007.

The development of a dedicated CMF website is also at an advanced stage and it is hoped that it will 'go live' late November/early December. The existence of a dedicated website will assist the CMF in its role of raising awareness on ICZM through information exchange and as an up to date source of information on the many and varied important issues, such as WFD, which face the coast of Northern Ireland.

The CMF is also in the process of preparing a 'CMF Work Programme'. One of the initial ideas being considered is 'A Review of Coastal Erosion Policy in Northern Ireland.' Another project under consideration is the development of an 'ICZM Communication Strategy'.

The CMF also intends to host a major conference in spring 2008. Preparations are at an early stage but it is hoped that it may be a joint venture with I-CoNet, The Irish Coastal Network. One of the themes of the conference will be Sea-bed Mapping.

The CMF will become involved in several projects relating to the coastal zone and Planning and Natural Resources Division is presently involved in seeking INTERREG IV funding for these projects. One such project is looking to employ an ICZM Officer to co-ordinate activity geared towards sustaining the population on Rathlin Island through sustainable tourism and environmental projects.

Flood Management Policy Review

Rivers Agency commissioned consultants (RPS) to carry out an independent review of Flood Management Policy for Northern Ireland. Following a public consultation exercise RPS produced their final report in March 2007. In response to this independent report it is intended that the Government collectively will make a response which will provide a Policy Framework for the future delivery of Flood Risk Management in Northern Ireland. The process of drafting the Government Response is ongoing and it is intended to complete this exercise by March 2008 subject to Ministerial approval.

Copies of the Consultation, Discussion Document and Final Report can be obtained using the link below to publications.

<http://www.riversagency.ni.gov.uk/index/rivers-agency-publications/flood-management-policy-review-documents.htm>

Marine Aggregate Extraction

The Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2007 came into operation on 1 May 2007. They aim to ensure that assessment of environmental impacts of extraction of minerals by marine dredging is a statutory requirement and to provide the public with a greater role in decision making for projects which affect the marine environment.

The level of fees which will apply in Northern Ireland is still to be finalised and will be the subject of a short consultation, led by the Environment and Heritage Service, shortly.

Marine Bill

Consultation on *A Sea Change, a Marine Bill White Paper* closed on 8 June 2007. Consultation resulted in approximately 300 individual responses including 10 from Northern Ireland, and 8,000 postcard and letter responses in support of the NGO campaign for a Marine Bill. A summary of the responses was published on the Defra website in October 2007.

The Minister reached an agreement with her Defra counterpart on 31 October on how she is minded to take forward the proposals in Northern Ireland to take full and appropriate account of the devolution settlement. The Minister intends now to agree her approach with relevant ministerial colleagues, the Executive and the Departmental Committee with a view to making an announcement before the end of the calendar year.

Nitrates

The Nitrates Action Programme Regulations (Northern Ireland) 2006 came into operation on 1 January 2007 establishing measures to control the application and storage of livestock manures for all farmers.

Under the Nitrates Directive, Member States with a compliant action programme may apply for derogation from the statutory 170 kg N/ha/year livestock manure limit specified in the Directive. The terms and conditions of the derogation are set by the European Commission and must be compatible with achieving the objectives of the Nitrates Directive.

Northern Ireland's derogation application received a favourable vote from the Nitrates Committee on 15 October 2007. The derogation will allow individual farmers who meet specific criteria to seek approval from Environment & Heritage Service to apply up to 250 kg N/ha/year from grazing livestock manure. Transposition of the derogation into Northern Ireland legislation by early 2008 is being actively progressed.

Non Agricultural Diffuse Water Pollution (NADWP)

A strategy paper is being developed to identify the main causes of Non-Agricultural Diffuse Water Pollution across Northern Ireland and to determine the possible control mechanisms that may be introduced to tackle the problems identified. A consultation on the proposals is expected in early 2008.

In addition, consideration is being given to the introduction of Oil Storage Regulations to Northern Ireland in order to complement existing water protection legislation and to prevent pollution of the aquatic environment from inadequate storage facilities.

NI Rural Development Programme

The NIRDP as approved by the European Commission

(see <http://www.dardni.gov.uk/index/rural-development/nirdp2007-2013.htm>)

The structure and measures have been developed to build on the successful features of previous agri environment schemes, while including a number of new measures developed in response to consultation with stakeholders, such as:

- Farm waterways and riparian zone management
- Irish Hare habitat
- Pollen & nectar mixtures

A new Special Environmental Projects option will support landscape-scale actions, especially in ASSI/Natura 2000 areas and around threatened rivers and lakes.

The aim now is to finalise measure delivery details and amend local legislation to enable new applicants and existing agreement-holders to take advantage of these new options, and the associated revised payment rates.

Planning Policy Statement 2 (Planning & Nature Conservation) - Review

Planning Policy Section of Planning Service was moved to the new Planning and Environmental Policy Group on 2 April 2007. This team is continuing with the review of Planning Policy Statement 2 (planning and nature conservation). An inter-departmental working group has been established and is working on a new draft of the PPS2, with the aim of seeking Ministerial and Environment Committee clearance in the autumn of this year. On 12 October 2006, EPD (as it was known then) circulated the current version of PPS2 to the WFD Stakeholder Forum members (active and corresponding) asking for their views on how the PPS should be revised in light of the WFD. Two responses were received from Forum members, and forwarded to Planning Service. These responses are currently being considered by PEPG in finalising the public consultation draft of the document.

Planning Policy Statement 14 (Sustainable Development in the Countryside) – Review

In light of the judicial review of PPS 14, DOE Minister made a Statement to the Assembly indicating that the DOE, with the agreement of the Minister for Regional Development, is now assuming responsibility for rural planning policy and will therefore take forward work on the review of the draft policy statement. The Department has, as a short-term interim measure, reissued the policy provisions, pending completion of the policy review process. Furthermore these policy provisions should continue to take precedence over existing policies for the countryside.

Septic Tanks

Ongoing update to be added.

Shellfish Waters Designations

The Shellfish Waters Directive (79/923/EEC) aims to protect and/or improve the quality of coastal and brackish water bodies in which shellfish live, in order to contribute to the quality of edible shellfish products. There are currently 9 designated shellfish waters in Northern Ireland.

DOE officials are meeting representatives of the Aquaculture Initiative on 22 November to discuss shellfish waters designations, in particular in Belfast and Carlingford Loughs.

Sustainable Drainage Systems (SuDS)

A draft Strategy document has been circulated to members of the cross-organisational steering group, led by Environment & Heritage Service, for comment.

SuDS is the practice of controlling storm water runoff from hard surfaces as close to the origin as possible before discharge to waterway or underground stratum. This will require a change from traditional piped drainage systems to a system with softer engineering (although there is a place too for hard solutions) that effectively mimic natural processes. The design target will be for the discharge from all new developments to have the same quality and volume characteristics as those from the Greenfield site.