

**COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE
145TH MEETING
TOLLYMORE NATIONAL OUTDOOR CENTRE
FRIDAY 10 MAY 2013**

Present:

Mr P Archdale - Deputy Chair
Dr T Bazley
Dr J Berman
Dr S Christie (Items 1-6)
Dr A Cooper
Prof J Orford
Mr A Upton
Mr J Witchell
Mr S Wolsey

In Attendance:

Prof. H Platt - NIEA
Mr A Wilson - NIEA
Ms J Kirk - Secretariat
Mr P Rice - Secretariat
Dr R Brown – Marine Working Group (Items 4-6)
Dr A Mitchell – Mourne Heritage Trust (Items 1-3)
Mr M Carey - Mourne Heritage Trust (Items 1-3)
Ms C Nolan – Strangford and Lecale Partnership (Items 3-4)

1. APOLOGIES AND WELCOME

Apologies were received from Mr P Casement, Mr A Cunningham, Dr R Horton, Dr H Kirkpatrick, Mr T Traill and Ms H Anderson.

The Deputy Chairman welcomed everyone to the venue and also Dr A Mitchell, Vice Chairman to the Mourne Heritage Trust and founder member of CNCC. He also welcomed Mr M Carey, Chief Executive of Mourne Heritage Trust and Ms C Nolan, Strangford and Lecale Partnership, who would give presentations to the Council.

2. DECLARATIONS OF INTEREST

The Deputy Chairman asked members if they had any declarations of interests with agenda items. Professor Orford declared an interest in Item 5 – NIEA Research and Evidence.

3. MOURNE HERITAGE TRUST

Dr Arthur Mitchell, Vice Chairman and Mr Martin Carey, Chief Executive of Mourne Heritage Trust (MHT) attended the meeting and Mr Carey gave a presentation to the Council.

Mr Carey noted that:-

- All of the Area of Outstanding Natural Beauty (AONB) will be under one authority (Newry and Mourne) after Review of Public Administration (RPA).
- The land ranges from wilderness to intensively farmed land and the area has a distinctive human heritage.
- The MHT has a voluntary Board of Directors (21 in total) covering all sectors.
- Since 2010 the area has had a Strategic Operational Plan delivering five key programme areas, but the plan has no statutory weight nor adequate resources for staff.
- Responsibility – Environmental Protection

- Recreational pressures not currently adequately addressed. Fires, Litter, Dumping, stone mining etc, require greater attention.
- Infrastructure problems, ie parking facilities need enhancement.
- Opportunity – Sustainable Tourism
 - First area in Ireland or United Kingdom (UK) to be awarded ‘European Charter for Sustainable Tourism’ in 2003 – re-awarded 2008. Mournes identified as one of Northern Ireland Tourist Board’s (NITB’s) Signature Projects.
 - Education (at all levels).
 - Recreation/Sport/Health.
- Opportunity – Environment Awareness – The Mourne Biodiversity Action Plan.
- Responsibility – Protection of Built Heritage – Mourne Homestead Project.
NIEA Built Heritage does not directly fund any Mournes projects.
- Recognition:-
 - 2003 – First UK recipient of European (EU) Charter for Sustainable Tourism.
 - 2004 – NITB Awards – Chairman’s Discretionary Award.
 - 2006 – NRRTI Awards – Silent Valley Nature Trail and Corbet Lough.
 - 2006 – Planning Award at RSPB environment awards.
 - 2007 – UK Civic Trust award for Mourne Homesteads.
 - 2007 – Europa Nostra award for Mourne Homesteads.
 - 2009 – First area in UK to be re-awarded Tourism Charter.
 - 2012 – NITB Awards – Commendation for Mourne Public Art.
 - 2012 – Europarc Medal – Contribution to Nature Conservation - Alfred Toepfer Medal, Genk, Belgium – October 2012.
- Current Priorities:-
 - Heathland Enhancement – (HLF funded) Mitigating damage, recovery and getting heathland into better condition, involving landowners and training.
 - Juniper Project – Local variety genetically unique, some lost in recent fires but have been taking propagating cuttings for restoration.
 - Wildfire Prevention – Looking at heathland fuel load management and human behaviour, involving all sectors, including NIFRS and PSNI.
 - Path Network – Investing a lot of money into new pathways using methods to keep the paths looking as natural as possible. Strategic review of path network underway.
 - Visitor and Recreation Management - Bloody Bridge encroaches on local landowner land and Northern Ireland Water (NIW) land. ‘Stay on Track’ markers have been placed to help visitors.
 - Input of Volunteers – Laying new paths, litter collection. Volunteers work is valued at £100,000 annually.
 - Awareness Raising – Leaflets - Scenic Heritage Trail, Changing Landscapes and Habitats and Wildlife.
 - Web Presence – New website under construction and Facebook presence.
 - Mourne Coastal Route – Mourne Wall, Information Boards and Public Art.
 - Visitor Infrastructure – Extension to Granite Trail and Narnia Trail.
 - Built and Cultural Heritage – Restoration of Corn Mill, Watertown House and the Summit Towers on Slieve Donard, Slieve Meelmore and Slieve Commedagh.
- Mourne Mountains Landscape Project Partnership (MMLP) focuses on the high Mournes, with a mission to re-connect people with the rich heritage associated with the mountains, including granite supply, development of the Silent Valley,

traditional farming, folklore and the unique habitat of the heather heathland. It also plans to bring link with the Mourne – Cooley - Gullion Geo Project.

- MHT receives £300,000 funding; a stark comparison with the £3.6 million the New Forest AONB receives for management of a comparably sized area.
- Heathland pilot work will pave the way for landscape scale management, such as a possible LIFE project for heathland enhancement condition.
- A key finding of the 2009 review of the MHT was that significantly more funding was needed. In 2010/11 there was a 15½% decrease in funding and future funding uncertain.
- National Park Debate – Access and Planning issues. The Northern Ireland Environment Link (NIEL) is organising a Land Stakeholder workshop on 21 May that will focus on the ecosystem services being delivered by the landscape.
- Each farm is approximately 20 hectares with planning permission for a farm workers dwelling and a retirement dwelling with the result that arable farm land will be reduced by ½ an acre for each dwelling. This is resulting in encroachment on both the habitat and landscape character of the Mourne.
- With every £1 from the public purse the MHT brings in £4. In another four years the Trust will have brought in £20 million to the area.

The Deputy Chairman thanked Dr Mitchell for attending and Mr Carey for his presentation on cultural and natural heritage to the Council. He noted that there is a real need for overall land use policy.

In response to a question from Mr Upton about the Heathland ownership, Mr Carey reported that the land inside the walls is owned by NIW and the land outside the walls is owned by 15 Trustee groups. About 50% of high Mournes is in public ownership, as is 20% of the AONB. The Department of Agriculture and Rural Development (DARD) requirement that all Trustees and/or graziers have to sign agreements had made uptake of Agri-Environmental Schemes extremely limited. As a result, MHT are concentrating initially on managing NIW Land and then interested farmers can come and have a look at what is being done.

Professor Platt noted that at a recent Area of Special Scientific Interest (ASSI) meeting in Kilkeel there had been a prevalent view that the ASSI was a way of back door way to introduce a National Park. Dr Mitchell said that they should of expected a negative response and been prepared for it. It was pointed out that similar clinics might be more effective than public meetings.

Dr Cooper said that the basic resource to sustain is being lost and the Mournes are getting less and less. The Burren type approach has been shown to work well in preserving the landscape and habitats and should be introduced. Professor Platt said that the Department is very impressed with Burren and the Minister will be visiting.

Dr Bazley said he felt that MHT should look to be heading towards Geo-Parc and people were frightened of National Park status as they perceived it would bring planning restrictions.

Professor Orford commented on the poor condition of many ASSIs and the impact of coastal development. Mr Carey noted that generally the Special Areas of

Conservation (SAC) and ASSI are in the uplands but there are some in coastal areas. MHT focus on the uplands where there are more visitors and this is where resources have been concentrated, as this is where they know they can do things, eg, heathland. He noted that there are salt marshes in Carlingford and that MHT need to look at the coast.

The Deputy Chairman noted that NIEA had recently commissioned a report on Seascapes and it should be useful in AONB management. Professor Orford reminded the meeting that seascapes were both from the land to the sea and vice versa.

The Deputy Chairman also noted that there will be funding opportunities to deliver the Prioritised Action Framework in the next EU Life programme relating to issues highlighted and urged the MHT to continue to input to the framework.

Dr Mitchell thanked the Council for listening to the presentation. Dr Mitchell and Mr Carey left the meeting at this stage.

4. MANAGEMENT OF PERIWINKLE HARVESTING

Ms Caroline Nolan, Strangford and Lecale Partnership (SLLP), circulated a Report on the Management of Shore-Based Periwinkle Collection on Strangford Lough and the Lecale Coast. This report is not to be circulated outside the Council as it has not yet been launched.

The estimates in the report indicate that 300-580 tonnes per year of winkles are collected from the Strangford and Lecale area. The winkle fishery is not classed as a commercial fishery, but these estimates indicate that a substantial commercial operation, which is operating on a largely unregulated basis, already exists.

There is widespread public concern about the presence and operation of shellfish collection groups, usually formed of East European people and controlled by unlicensed gangmasters (who are, therefore, operating illegally), in the Strangford and Lecale Coast area. The high visibility of this issue and the approach of these groups to shellfish harvesting has caused local concern and has focused attention on winkle and shellfish collecting, the suspicion of wider criminal activity and the safety of collectors when they are collecting shellfish. No proof has been found that winkle harvesting by these groups is having a significant impact upon the winkle population or the wider environment, but this type of activity has drawn attention to the possible impacts of shellfish harvesting. It seems likely that, if this issue was addressed, there would be much less concern about winkle harvesting and shellfish harvesting in general.

EU Infraction could arise if winkle harvesting is causing damage to a European-designated site and, therefore, that the site is not being protected and managed as required by EU Directives. There is also potential for collateral impact from the harvesting through disturbance of other species such as birds and seals, but no Habitat Regulation Assessment of the harvesting activity has been conducted.

In discussion, members commented that the report had a number of shortcomings and agreed to send comments to Ms Nolan as soon as possible. They also felt that the report would be more effective if the key issues were distilled into a short covering letter by the SLLP.

Action: Council to send comments on report to Ms Nolan Council

The Deputy Chairman noted that the essence of the problem is that it is a multi-agency problem and felt that the SLLP's letter should break down the multi-agency issue. Also, he commented that this is a province-wide issue and not just confined to the Mourne area.

Action: Prepare Advisory committee Paper Ms Nolan

Ms Nolan left the meeting at this stage.

Professor Orford noted that if there is a general concern about sea fisheries then that is what should be discussed but if it is about gangs, then CNCC should not be involved.

Action: Marine Working Group to consider the intertidal harvesting issue at their next meeting. Marine Working Group

5. NIEA RESEARCH AND EVIDENCE

Professor Platt recorded that he has announced his resignation which will take effect on 1 September 2013.

Professor Platt advised that Mr T A'Hearn, Chief Executive of NIEA had posted a video on line regarding the reorganisation of NIEA. The Deputy Chairman asked that Secretariat put this video onto DVDs and send to all the members of the CNCC. The Deputy Chairman is to invite Mr A'Hearn to do a presentation at the next CNCC meeting on the new Environment and Marine Group staff structure.

**Action: Send Mr A'Hearn's video to all members Secretariat
Invite Mr A'Hearn to next CNCC Meeting Mr Archdale**

Professor Platt, NIEA, presented a paper on NIEA Natural Heritage Research and Evidence Strategy 2020 to the Council.

The Natural Heritage Directorate (NHD) of the NIEA is an evidence-based organisation: ie, an organisation that bases its goals, policies and strategies on scientific evidence. We are working on a revised Evidence Strategy which will reflect the critical role that evidence has in delivery of the NHD's contribution to the UK, European and Global biodiversity strategy.

Evidence comes in many forms: the strategy will set out why it is needed; how we will work to achieve our requirements and how we intend to use it. The Strategy covers the same period as the EU Biodiversity Strategy to 2020, ie, 2014-2020.

This paper will address the current and future needs of evidence/research, how this might be realigned for the future of the Environment and Marine Group and how additional funding to support and expand the evidence base might be secured. It will also touch on the current internal organisational structure of the Department and set out how this would change.

Throughout the paper, the term 'evidence' is used to include the need for quality scientific research as appropriate to the needs.

The paper covered the current and future needs for a Research/Evidence Database, site safeguarding and protection, caring for and enjoyment of heritage. It also highlighted evidence requirements arising from the EU Biodiversity Strategy and the UK Habitats Directive Implementation Review.

During discussion, the importance of the NI Countryside Survey and its contribution to understanding of landscape was emphasised by members. It was agreed that DARD were key players in this regard, as they needed evidence to demonstrate that their agri-environment measures were delivering the intended outcomes. It was also noted that the EU biodiversity strategy seems to have sidelined geodiversity. This was felt to be a dangerous omission, as geodiversity underpinned biodiversity.

Action: Post copy of Report to absent members Secretariat

The Deputy Chairman asked that Secretariat seek permission for Mr Casement and Mr Archdale to attend the next JNCC Meeting on 20 June 2013.

Action: Seek approval for attendance at JNCC Secretariat

6. ARTICLE 17 REPORT

The EC Habitats Directive came into force in 1992. It requires Member States to take conservation measures in relation to these threatened habitats and species, to undertake surveillance in relation to them, and, every six years, to report on the outcome of these measures on their conservation status. For some of the listed habitats and species, the Directive requires Member States to designate SACs. For some of the listed species, the Directive does not require SACs to be established, but requires Member States to take other measures.

Every six years, Member States of the European Union are required (by Article 17 of the Directive) to report on implementation of the Habitats Directive. The first report provided an analysis of implementation between 1994 and 2000, focusing on work to select Special Areas of Conservation. The second report (2000–2006) focused on a first assessment of conservation status of all habitats and species of Community interest. This third report (2007–2013) repeats the conservation status assessments undertaken in 2007; the basic structure of the assessments is the same as that in the 2nd report, but there are changes in the detail of the data requested by the European Commission. The six-yearly reports required by the Habitats Directive are intended to track improvement in the conservation status of these habitats and species since the Directive came into force in 1992.

The Deputy Chairman reported that Mr Paul Corbett had circulated the Article 17 document to members asking for their input and that the UK wide consultation closes today, 10 May 2013.

Professor Platt presented a paper to the Council on Article 17 UK Report 2013. He reported that he had received a draft summary of the UK Article 13 report from JNCC, which he reproduced in full as an annex to his paper. He asked that this be taken in confidence as it is still out to public consultation and may be adjusted as a result of that.

The main conclusion overall, given the indeterminate statistical significance of the figures, is that not much has changed over the last six years. It is likely that the Commission will want to know why no headway appears to have been made and why the evidence remains down to expert judgement and/or status unknown.

Professor Platt has been tasked by his Director to convene a Task and Finish Group on Surveillance and Monitoring to address the following issues:-

- Reason for engagement.
- The aim of the recommendations from the Task and Finish Group.
- European commission Infraction.
- National Ecosystem Assessment.
- The key NHD requirements.
- In respect of evidence our aspirations are for NHD.

All of the above issues will be considered and help inform the development of the forthcoming Natural Heritage Evidence Strategy 2020.

The conclusion is that there is much that we are doing, and doing well, but there are considerable additional evidence needs to meet EU obligations and to be able to deliver the improvements in the environment, the economic and health and wellbeing that NI aspires to. Obviously resources will be a key factor and given financial pressures we will need to see how best the Division itself and in partnership with others can best progress this. Our development of the Prioritised Action Framework (PAF) with DARD and other stakeholders has been a major development and presents the opportunity for additional funding through obtaining European money for LIFE Integrated Projects and the use of Horizon 2020 funding.

Ministerial approval will be required for the Article 17 UK Report 2013, from all four jurisdictions, before publishing in July 2013.

The Deputy Chairman is proposing to set up an ad hoc working group to feed into this, consisting of Mr P Casement, Mr P Archdale, Dr J Berman, Dr S Christie, Dr A Cooper. Professor Platt to let Secretariat know the timeline from now until the publishing of the report, so that a suitable date can be set up for the working group.

Action: Timeline until the publishing of the report **Professor Platt**

Action: Set up Working Group Meeting **Secretariat**

The Deputy Chairman is to advise Ms June Swift to put this item on the Agenda for the next JNCC meeting.

Action: Advise Ms Swift to put item on JNCC Agenda Mr Archdale

Dr Christie left the meeting at this stage.

Professor Platt reported that the UK is currently under infraction proceedings for failure to fully implement the SAC Designation obligations under the Habitats Directions. The Relevant UK government departments and agencies are currently considering our (UK) response to this infraction allegation.

Action: Advise JNCC of European Commission Infraction Professor Platt

The Deputy Chairman advised that:-

- JIBS2 should be added to the Current Research Projects in Annex 1.
- A way should be found to use Future EU structural funds to get the PAF to cover all that is required.
- Quality of evidence – Professor Platt will be working on this.
- Work in getting all drafts in order – Professor Platt is working with the Centre for Environment and Data Recording (CEDaR) on this.
- High level policy and strategy documents should push from an all Ireland perspective.

The Deputy Chairman reported that the Modiolus Restoration Group had offered a seat to CNCC and, as Dr Brown had been the CNCC representative on the predecessor group, recommended he continue on this group. The Council was content with this recommendation and Mr Brown will report through the Marine Working Group.

Mr Brown left the meeting at this stage.

7. MINUTES OF PREVIOUS MEETING

Mr Archdale reported that Mr Casement has not yet finalised the minutes of the last CNCC meeting held on 8 March 2013.

8. MATTERS ARISING

Planning Bill – The Chairman submitted a response to the Assembly Environment Committee on 15 March 2013 and the Chairman/Deputy Chairman presented to the Environment Committee on 11 April 2013. The Chairman is to convene a meeting of Planning Working Group. Nothing further to report on this at this stage.

Register of Members' Interests – Council members need to update their entries.

Protected Areas in the 21st Century – Mr Bradley Environmental Policy Division (EPD) to bring draft strategy to CNCC.

CNCC Working Programme – The Deputy Chairman circulated details of the work programme to members.

9. CHAIRMAN'S BUSINESS

EU Programmes

The Deputy Chairman reported that:-

- There would be no further tranches of the current Agri-Environment Scheme.
- Less Favoured Area (LFA) reform was being postponed by the Commission.
- Genuinely optimistic talking by DARD and NIEA on Rural Development Programme.
- Dr Christie and Mr Archdale will input to the programmes.

Seascope

The Deputy Chairman reported that Ms Sandi Howie is letting the tender for the project that will create a Seascope Character Assessment for Northern Ireland. She briefed the CNCC on this issue some months ago. The CNCC expressed an interest in the Regional Seascope Character Assessment. The period for consulting on the draft plan will be the month of August and Professor Orford and Dr Berman volunteered to look at the report and discuss with Consultants. The Deputy Chairman asked Secretariat to check the timings in Ms Howie's e-mail and check if there are any other projects in relation to this issue.

Action: Check timings and other projects with Ms Howie Secretariat

Windfarm Developments

Mr Traill had sent an e-mail to all members with a link to the Barroso Task Force Working Group paper which supports the objectives of the Climate Change and Energy Thematic Group established under the Executive's Barroso Task Force Working Group. These objectives include:-

- Playing our part in the reduction of greenhouse gas emissions and developing appropriate adaptation actions.
- Improving our use of natural resources by reducing waste, increasing recycling rates and enhancing energy efficiency.
- Developing energy infrastructure to support both EU and Strategic Energy Framework objectives.
- Increasing the amount of energy and head obtained from alternative and renewable sources.
- Developing smart transport infrastructure.
- Strengthening the agri-food sector by supporting its efforts to further reduce the carbon intensity of its produce.
- Continuing to encourage all sectors to embrace R&D and pursue creative and innovative solutions.

Mr Traill felt, while the objectives were laudable, there was a risk that they would add further fuel to the development situation what was already in danger of becoming overheated. In particular, turbines seemed to be proposed in AONBs and near other sensitive areas without consideration of the cumulative impact. The Deputy Chairman reported that he and Mr Casement had met with the Division about

true scale of development had become clearer, with many more applications for single turbines being dealt with at a local level. He undertook to discuss the issues with the Chairman.

10. **CNCC WORKING PROGRAMME**

The Deputy Chairman apologised for not circulating the CNCC Working Programme to members before the meeting and he would do so as soon as possible.

Action: Circulate CNCC Working Programme Mr Archdale

11. **CNCC WORKING GROUP REPORTS**

None – The Deputy Chairman reported that he has not yet finalised the minutes of the last Marine Working Group Meeting held on 8 April 2013, but that the next meeting would be on 30 May 2013.

Action: New Date for next Marine Working Group Secretariat

12. **MEMBERS REPORTS**

Chalara Ash Die-back Stakeholder Meeting

The Chairman attended this meeting on 25 April 2013 and provided a paper for the Council. The Deputy Chairman had asked The Chairman to urge Forest Service to reconsider their current ban on planting Ash. The paper outlines the following:-

- Review of work to date – Governance/Current situation/All-Ireland Chalara Control Strategy.
- Science Update – Life cycle/Resistance.
- Role of Social Science in Plant Health and Biosecurity – Scoping/Gap analysis.
- All-Ireland Chalara Control Strategy – Scope/Strategic Aims/Risks/Operational Objectives/Next Steps.
- Chalara Surveillance Plan – Survey criteria/Site surveillance/Reporting.
- Stakeholder and Public Involvement.

Dr Cooper noted that under Operational objectives number 4 “Building resilience in woodland and support to associated industries” the ecological value of Ash trees should be emphasised, given that it is our commonest species of tree, its important role in hedgerow function and its role in hydrology and carbon storage.

The Deputy Chairman noted that the Spring 2013 issue of British Wildlife Magazine featured several articles about Ash Die-back and the ecological implications.

Pre-Consultation NI Climate Change Bill

Professor Orford reported that DOE has initiated a pre-consultation about whether Northern Ireland should have its own Climate Change Bill. Themes:-

- Should there be one?
- What should be the target and how do we get there?
- Should Northern Ireland have its own independent Climate Change Committee?

- Northern Ireland pays towards the UK Climate Change Committee but there is nothing specific for Northern Ireland.

Marine Current Turbines - Stakeholder Meeting

Dr Berman, representing CNCC on the SeaGen Technical Group, stated that SeaGen wish to begin trials using unmanned sonar on the turbine in Strangford Lough to Harbour Seals. SeaGen believe the risk to the Seal population would be minimal.

The Deputy Chairman asked that Secretariat send a copy of "A Draft Strategy for Marine Protected Areas on the NI Inshore Region" to Mr Traill.

Papers on the following items were also circulated to members:-

- Dark Hedges Preservation Trust – Public Consultation Meeting on 29 April 2013.
- Providence Resources Presentation – Portrush on 16 April 2013.
- Offshore Renewable Energy Bill Briefing on 9 April 2013.
- JNCC on 27 March 2013.
- Carntogher Community Association – Envision Heritage Project Lecture on Ballynahone Bog by Ray Flynn on 11 March 2013.

13. GENERAL INFORMATION

Events List

Mr Casement, Mr Archdale, Professor Orford, Mr Traill and Dr Cooper all tabled the events they attended since the last meeting held on 8 March 2013.

Consultations Completed

Consultations completed since last meeting:-

- Unconventional Gas Exploration and Extraction (UGEE) and High Volume Hydraulic Fracturing (fracking) on the Island of Ireland.
- Planning Bill 2013.
- Pre-Consultation NI Climate Change Bill.
- Consultation event on Policy Proposals for an Offshore Renewable Energy Bill.

14. ANY OTHER BUSINESS

There were no items of Any Other Business.

15. DATE FOR THE NEXT MEETING – 9 JULY 2013

The Conference Room, Waterman House, Belfast


9/7/13
Vice Chairman