

**COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE
148TH MEETING
DESIGN CENTRE, BELFAST
29TH NOVEMBER 2013**

Present:-

Mr P Casement - Chairman
Mr P Archdale - Deputy Chair
Dr A Cooper
Dr H Kirkpatrick
Prof J Orford
Mr T Traill
Mr S Wolsey

In Attendance:-

Ms D Stevenson NIEA
Mr Ian Enlander NIEA
Mr P Corbett NIEA
Ms J Kirk- Secretariat
Mr P Rice – Secretariat

1. APOLOGIES AND WELCOME

The Chairman welcomed everyone to the meeting. Apologies were received from, Dr J Berman, Prof S Christie, Mr A Cunningham, Dr R Horton, Mr A Upton and Mr J Witchell.

2. DECLARATIONS OF INTEREST

The Chairman asked Council members if they had any declarations of interest in the matters to be discussed. No interests were declared.

3. UK ARTICLE 12 (BIRDS DIRECTIVE) UPDATE

Mr Enlander NIEA presented his paper on the Directive on the conservation of wild birds (Article 12). Mr Enlander reported that the paper is provided for information to CNCC. The public consultation has just been completed – further information is available on JNCC website.

Background

- JNCC, working in conjunction with the UK Country Agencies, have compiled the latest draft Article 12 report.
- Article 12 of the Birds Directive requires that "*Member States shall forward to the Commission every three years, starting from 7 April 1981, a report on the implementation of national provisions taken under this Directive.*"

Current paper

This brings together various elements of the formal Article report together with an update on Northern Ireland's position in relation to SPAs.

The full report consists of population, distribution and range information on:-

- i) all regularly occurring breeding birds in the UK;
- ii) non-breeding species which occur as SPA features; and
- iii) it also provides details of identified threats and pressures for species which occur as features within the existing SPA site network.

- An overview of the report can be found in the document **Article 12 main messages V2**.
- The exercise brings Article 12 reporting on the Birds Directive more closely aligned to the reporting format, approach and frequency of the Article 17 Habitats Directive report.
- It should be noted that reporting has been undertaken at a UK level with no country-specific accounts. It is intended that future reports will also be undertaken at a 'country' level.
- However, the exercise provides an opportunity to provide information on the recent SPA condition assessment exercise also attached (Annex I) together with an analysis of key threats and pressures as they relate to Northern Ireland's SPA features (Annex II).
- Full datasets and information on the public consultation can be accessed through the JNCC webpage <http://jncc.defra.gov.uk/page-6526>.

Current position

- JNCC have commenced the public consultation process which runs from 7th October 2013.
- EPD have confirmed they are content with the current Article 12 report and that JNCC/DEFRA could proceed to public consultation phase.

Implications for NIEA

- As the Article 12 reporting exercise was undertaken at a UK level, resource implications were manageable. There is, however, pressure to have a stronger regional element to the exercise such that in future years a larger input from Country Agencies can be anticipated. In the past the report was every 3 years, now the report will be every 6 years.
- Management/site responses specific to particular sites/species is found in Annex I. The key point to note is need for development of site and wider countryside management responses to condition of upland habitats for breeding raptors (Hen Harrier/ Merlin) and Golden Plover.
- Additional data for a range of other sites/species will also have to be considered in relation to ASSI and Biodiversity targets, many of which are already being addressed.

Mr Enlander had also circulated, the Tenth UK report on implementation of the Birds Directive: high-level summary paper by David Stroud of JNCC, prior to the meeting. This paper outlined:-

- The background to the EU Birds Directive.
- The process for data collation.
- Main messages.
- Summary statistics and key findings from the Tenth Article 12 report.
- Population size.
- Data quality to undertake the next report.
- Short-term and long-term population trends.
- Breeding distribution map and range size.
- Breeding range trend.

- Short-term and long-term breeding range trends.
- Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs).
- Main Pressures and Threats.
- SPA coverage and conservation measures.

Mr Enlander reported on the SPA Northern Ireland assessment summary. This indicated 14 SPAs in unfavourable condition, which could be attributed to the following causes:-

- 9 sites as a result of climatic factors, which have led to 'short stopping' of winter migrants
- 3 sites as a result of site management
- 2 sites due to disturbance

Mr Enlander also reported on the 103 threats and pressures on SPAs identified for Northern Ireland. These could be broken down as:-

- 34 are climate related, mainly anticipated threats.
- 6 concern non-native predator issues.
- 13 relate to land management considerations – principally upland issues relating to Hen Harrier, Merlin and Golden Plover.
- 9 relate to pollution matters although these may not specifically be issues at Northern Ireland sites.
- There was no consideration of threats to migrant species that occur outside the EU.

Mr Enlander reported that the final paper going to DEFRA and going to Europe by the end of this year. Align Article 12 and Article 17. Report looks at population distribution. NI – SPAs – issues relating to upland habitats and context for headland. Summary conclusions – disturbance issue and site management. Threats and pressures.

The Council made the following comments:-

- Climate Change is a process of change rather than a threat, to which most species will adjust. The data to support the consideration of climate change cover only a three year period, which is unfortunate and unconvincing. Short term effects may not reflect longer term trends.
- This reflects a fundamental issue with both the Birds and Habitats Directives which is that they attempt to perpetuate the status quo. Directives very important but need to have a better understanding of what you are working with, in order to manage change, not waste resources on losing battles. In particular it is vital to identify the relevant aspects of climate change that will affect bird populations.
- Surprise was expressed about the expressed lack of robustness and quality of the data, given the wealth of information available on birds in the UK, as evidenced by the new Bird Atlas 2007-2011. This shows clearly the shifts in bird distribution and abundance, but does not attribute causes to the observed changes. It was pointed out that the distribution data is very good, but population estimates are less robust.
- Concern was expressed that while the SPA network has benefited Annex 1 species and provided valuable protection for other species, many

- species have continued to decline outside the SPAs. This mirrors the long term findings on habitat change identified by the Countryside Survey. It is important to identify the threats and pressures in the wider countryside.
- Concern that the SPA network has not caught up with changes in bird distribution with new species such as the Little Egret colonising the UK, and the successful re-establishment of species such as Red Kite and Sea Eagle.
 - Prioritisation of sites and resources are issues for NIEA, and should be based on the perceived threats and pressures on each site. Land management is extremely important and Management Plans need to be developed for all our SPAs. The importance of drawing down European funding was stressed, using the PAF as a basis for bids, and calling on JNCC for support.
 - Concern that the pressure of Fishing Measures was not articulated clearly, but effectively hidden under 'Other Biological Resource Use'.
 - Concern that some data (eg Hen Harrier population size) was out of date and did not reflect the current situation.

NIEA Comments:-

- The analysis is only on existing SPA features.
- NIEA is unable to fund management plans, at an estimated cost of £50,000 each, from its own budget but is currently looking at an INTERREG proposal as part of a Life Integrated bid. NIEA will be working in partnership with DEFRA and JNCC, to draw up appropriate funding applications.
- Peatlands and uplands will be a priority.

4. UK SPA 2008 – 2014 REVIEW – PHASE 1 PROGRESS

Mr Enlander hardcopy provided to members reported on the Summary of Phase 1 of the 2008-2014 SPA Network Review:

Mr Enlander informed the Council that this paper forms part of the 'sign off' process for phase 1 of the Review for Northern Ireland and hence for UK. While not part of the phase 1 evaluation process, the current paper also sets out a summary of activities which will fall to NIEA through implementation of the Review and related matters as currently understood.

CNCC were asked to comment on the Review process and its adequacy, and to note the subsequent implications for the Northern Ireland Environment Agency/Northern Ireland.

Background (Annex 1)

- The current UK SPA (terrestrial) Review was initiated in 2008 and is due to complete all phase 1 activities in 2014.
- The objective is "To undertake a targeted review of selected elements of the current UK network of terrestrial and coastal Special Protection Areas (SPAs) in order to ensure that UK obligations under Article 4 of the European Union's Directive on the conservation of wild birds (Council Directive 79/409/EEC, as amended) ('the Birds Directive') are met."

- The Review will examine the adequacy of SPA network in view of the requirements of the Birds Directive and make recommendations to the 4 Country Administrations.
- The geographical scope of the Review is limited to the terrestrial and coastal environments of the UK. Marine programme is being undertaken as a separate exercise.
- The Review will consider relevant policy and legal implications of relevant judgements from the European Court of Justice.

Current paper

The paper sets details of phase one and an overview of agreed subsequent activities (derived from Annex 1).

The first phase will consider and develop further guidance and principles to assist in the application of the UK SPA selection guidelines. Specific subjects to be considered in this phase are:-

- a) the adequacy of existing SPA network for agreed species using the Site Provision Index as relevant;
- b) gaps in data availability for certain species/groups of species and recommendations on measures to address these;
- c) the potential for, and implications of, inclusion of cropped habitats in SPAs;
- d) any additional measures necessary to ensure UK compliance with European case law; and
- e) completion of an audit and updating of the documentation (related to both sites and species) summarising the extent of SPA suites for those species where modifications to species' suites have occurred since the publication of the 2001 Review.

Other tasks may be agreed by the Executive Steering Group if these can be undertaken without significant implications for time/budget.

The second phase will be undertaken by the four Country Administrations in conjunction with the relevant countryside agencies and JNCC. It will involve the consideration and application of the principles and further SPA selection guidelines established in phase one. Issues considered in the second phase will include:-

- g) whether new SPAs should be considered and if so, their location and extent;
- h) whether existing SPAs should be extended either in spatial extent or through the addition of further qualifying species; and
- i) the establishment of a timetable to implement the findings of the review.

The third phase will comprise:-

- j) revision of citations by individual country agencies at those sites where qualifying species have been changed;
- k) classification of any new or boundary revision of any existing SPAs;
- l) implementation of any additional measures necessary to achieve favourable conservation status of sites and/or populations;

- m) implementation of outstanding actions from the 2001 UK SPA Review; and
- n) revision by JNCC of relevant documentation summarising the extent of SPA suites for those species where further additions to species' suites have occurred consequent upon decisions made in the second phase.

Key points

- Process to generate a robust audit trail especially with regard to data sources, data handling and recommended outcomes.
- All key areas of the process and novel elements developed for the purposes of phase 1 have been or will be (SPI methodology) subjected to scientific peer review. The review of the decision framework process recommends that this model should be highlighted as appropriate for Europe-wide adoption.
- The exercise will also set out recommendations to ensure simplification of future reviews of the SPA network and its adequacy. This includes a timetable of recommended future actions necessary to bring all activities which have a bearing on the SPA programme into line (linkage to Article 12, Birds of Conservation Concern Reviews, population assessments etc) including site monitoring and wider survey needs.

Current position

- JNCC and DEFRA are seeking confirmation from SNCB's and Devolved Administrations that they are content with the processes used in phase 1 of the Review.
- The finalised document (reflecting any comments from CA/DA consultations) will be considered by the Joint Committee in April 2014 who will then make final advice to governments.

NIEA Comments:-

- Current SPA review Phase 1 largely complete, due to report next year.
- 2014 review will make recommendations that allow the UK to fully meet its obligations under birds directive as currently understood.
- JNCC have put in an indicative programme for rolling SPA reviews for the next 30 years.
- Some actions from 2001 review still not implemented.
- Emphasis on a robust audit trail which it is hoped could be used as a model for the rest of Europe.
- Implications for NI are not part of the Phase 1 review.
- There will be a new standardised data form for SPA.
- Ramsar Secretariat update has been deferred until completion of the SPA Review.
- The provision of science and evidence is a key function of NIEA which must be retained in the future.

Council Members Comments:-

- Concern was raised about the possibility of creating an SPA for Greater Black-backed Gull, which is the reason that Carlingford SPA is in

- unfavourable condition, through their predation of terns. While gull numbers are dropping, it is from an artificially high level.
- DARD is looking at the option of paying farmers through agri-environment schemes for managing winter grazing for Whooper Swans.
- The need to link the Marine SPA Review and the UK SPA Review 2008-2014.
- Concern was expressed over the issue of staff resources. Ian Enlander is currently doing two other jobs within NIEA as well as his ornithological role.
- NIEA should look at the approaches adopted by other EU countries.

The Chairman thanked Mr Enlander for his presentation and reported that CNCC are broadly content.

Mr Archdale asked Mr Enlander for an update in February 2014.

Action:-

NIEA to provide CNCC with an update on the UK SPA Review 2008-2014 in February 2014.

NIEA

5. ASSI Proposals

Mr Corbett gave a presentation to members on the six ASSI Proposals listed below:-

Site	County	Site Area (ha)	Interest Feature
Drumcully	Fermanagh	5.58	Purple Moor-grass and rush pastures, Rare species
Rushy Hill	Fermanagh	12.14 ha	Purple Moor-grass and rush pastures
Sour Hill	Fermanagh	13.43 ha	Purple Moor-grass and rush pastures
Drumowen	Tyrone	5.23 ha	Purple Moor-grass and rush pastures
Knockadoo Wood	Tyrone	7.61 ha	Oakwood
Clermont and Anglesey Mountain	Armagh	129.26 ha	Dry Heath

Mr Corbett stated that these ASSI proposals represent part of our ongoing programme of ASSI declarations and form part of the Priority List.

Citation, Conservation Objectives and contextual information on the assessment of the interests were also provided.

Mr Corbett reported that:-

- The aims of the priority list are to protect the top quality sites for nature conservation and include an adequate representation of the most vulnerable/threatened features.
- NIEA use a risk-based approach for assessing potential ASSIs.
- Grasslands are a vulnerable habitat. NIEA have improved coverage from a poor level with the focus on extending network.
- Drumcully, Rushy Hill, Sour Hill and Drumowen are all grassland proposals and are all cattle grazed.

5.1 Drumcully

Extent – 5.58 ha.

Habitat extent - 3 ha.

Spp richness - 23 plants per 2x2m.

Small White Orchid – has undergone decline all across the UK.

Drumcully is a small drumlin hill close to Lough Lattone. It is quite heathy in character and demonstrates, both upslope and downslope, smooth transitions between fen meadow and wet heath. The fen meadow is species-rich, particularly with herbs and sedges and has significant numbers of the notable Lesser Butterfly Orchid *Platanthera bifolia*. In the transitions to wet heath the protected Small-white Orchid *Pseudorchis albida* was recorded.

5.2 Rushy Hill

Extent – 8.53 ha.

Habitat extent - 8 ha.

Spp richness - 26 plants per 2x2m.

The vegetation at Rushy Hill is dominated by wet grassland of the Purple Moor-grass and rush pastures type. Fen meadow is a particular type of Purple Moor-grass and rush pasture that develops on base rich peaty soils and occurs across Rushy Hill. Species such as Purple Moor-grass *Molinia caerulea*, Meadow Thistle *Cirsium dissectum*, Sharp-flowered Rush *Juncus acutiflorus* and Devil's-bit Scabious *Succisa pratensis* typify this type of vegetation. A range of orchid species are also found on Rushy Hill, including Common Spotted-orchid *Dactylorhiza fuchsii*, Heath Spotted-orchid *Dactylorhiza maculata*, Lesser Butterfly-orchid *Platanthera bifolia*, Northern Marsh-orchid *Dactylorhiza purpurella* and Common Twayblade *Neottia ovata*. Mosses are prominent within the sward with Neat Feather-moss *Pseudoscleropodium purum* occurring alongside Pointed Spear-moss *Calliergonella cuspidata*, Springy Turf-moss *Rhytidiadelphus squarossus* and Glittering Wood-moss *Hylocomnium splendens*.

5.3 Sour Hill

Extent - 13.43 ha.

Habitat extent - 10.5 ha.

Spp richness - 26 plants per 2x2 m.

Low meadow.

Sour Hill covers the slopes of a small drumlin situated within the townland of Frevagh, close to the Fermanagh-Leitrim boundary. The site consists of a

series of fields covering the small drumlin. The majority of the grassland is fen meadow with transitions upslope to wet heath and acid grassland as it levels out. Further interest is added by botanically diverse hay meadows which provide a more neutral wet grassland type. The notable orchids Lesser Butterfly Orchid *Platanthera bifolia* and Early Marsh Orchid *Dactylorhiza incarnata* were recorded with a notable record for Viviparous Lizard *Zootoca vivipara*.

5.4 Drumowen

Extent - 5.23 ha.

Habitat extent - 4.7 ha.

Spp richness - 31 plants per 2x2m.

Whorled Caraway – first record for Co Tyrone - restricted in NI.

Drumowen is an area of Purple Moor-grass and rush pasture that is mostly made up of *Molinia caerulea* – *Cirsium dissectum* fen meadow. Drumowen is situated on the lower slopes of Mullaghnamac approximately 4km west of Drumquin. Drumowen is on the edge of the uplands with an altitude of approximately 170m above sea level. The site is underlain by Carboniferous age rocks, dominated by limestones and mudstones belonging to the Bundoran Shale Formation.

Drumowen is of particular significance in extending the ASSI coverage for this vegetation type in Northern Ireland. Significant inroads have been made in the designation programme for fen meadow in key resource locations such as counties Fermanagh, Antrim and Londonderry. However, the resource in County Tyrone has not been well-represented to date. Drumowen adds grassland resource to the ASSIs that have already been declared in the marginal uplands of western Tyrone around the Bin Mountain area, the current proposal supports examples of the habitat in Tyrone, further filling a significant geographical gap. In addition, the site also includes Whorled Caraway *Carum verticillatum* which is a new county record for Tyrone.

Setting this site in context, there is a concentration of this habitat in Fermanagh and the North of the province and there are now 53 existing sites of Purple Moor-grass and rush pastures in the ASSI Network taking in over 2,500 ha of the habitat- 6 in Tyrone and 27 in Fermanagh. Of these, around 30 sites include "Fen Meadow" type grassland, taking in over 900 ha.

Typically they consist of *Molinia* meadows on calcareous, peaty or clayey-silt laden soils (Molinion Caeruleae). The most distinctive species is meadow thistle – which is more widely distributed in Ireland than in Britain. NICS shows a decline of 19% in this habitat between 1998 and 2007, largely due to abandonment.

Council members made the following comments:-

- Issue of managing sites ecologically – the management prescriptions with all sites are extremely vague, giving too much scope for a farmer to make the decisions himself. It seems inevitable that many of these sites will decline further over the incoming years.

- The example of the BurrenLife project was quoted, where the farmers were told what the required outcomes were, and they were left to apply the management methods to achieve those outcomes for which they were rewarded. It was suggested that a pilot for a similar approach was required in Northern Ireland perhaps through the new Agri-environment schemes.
- The need to join up these fragmented sites to create a more substantial area, as recommended by the Lawton Report. While the legislation makes this difficult we need to find a means of defining areas that could be restored or changed to create this network effect.
- Areas of natural habitat, like rushes and scrub that are not managed under an agri-environment scheme may not get Single Farm Payment (SFP). This will lead to their continued destruction, and further fragmentation of these habitats.
- Drumcully - Appendix 1 – Item 3 Guidelines for Selection of Species-rich grasslands. “Selection criteria are not static”, leaves the Department open for possible legal challenge.
- Drumcully – Under “Declaration of Area of Special Scientific Interest at Drumcully, County Fermanagh, Article 28 of the Environment (Northern Ireland) Order 2002” – should read “330 million years” instead of “3300 million years”
- Drumowen – to give grid reference to Paul on possible designation.

NIEA Comments:-

- NIEA is working with DARD to work up the shape of the new Agri-environment schemes and specifically looking at ways of managing these sites by environmental outcome. They are hoping to strip down existing condition assessment to some basic things that are easy to measure, such as sward height, which can be monitored by the farmer to inform management details.
- James Warnock has been temporarily transferred out of CPT into a new small team in NIEA, with a specific role to act as an interface between NIEA and DARD. He is the sole point of contact, putting together information and data. It had been suggested to DARD, that an advisory team should be sited within NIEA but DARD rejected this approach.
- Louise Warde-Hunter who worked on the setting up of the New Marine Division is now working for DARD (Grade 3). NIEA will be meeting with Ms Warde-Hunter to discuss RPD and single farm payments.
- The problem is that NIEA is designating but not managing ASSIs. There is a great opportunity to look now at the relationship between Pillar 1 and 2 of the CAP. Mrs Stevenson recommended bringing a senior manager from DARD to a CNCC meeting.
- Staff are under extreme pressure to prepare sites for designation.

5.5 Clermont and Anglesey Mountain

Clermont and Anglesey Mountain is on the Armagh – Louth border, 9km south of Newry. It encompasses the northern edge of the uplands that run the length of the Cooley Peninsula. The area is of special scientific interest because of its heathland vegetation, in addition to its associated plant and animal species. Complex patterns of dry and wet heath with associated habitats form a mosaic

of vegetation within a varied topography. The heathland communities exhibit a well defined altitudinal sequence from lowland through to upland heath, while transitional communities throughout this gradation contribute to the overall interest of the area.

Below 250m in height the heath is often characterised by the abundance of Western Gorse *Ulex gallii*. This type of vegetation is generally restricted to the warm, oceanic regions of lowland Britain, and its occurrence so far north is notable. This heath gives way upslope to vegetation in which Heather *Calluna vulgaris* and Bell Heather *Erica cinerea* are the dominant elements, forming the most widespread heath community on Clermont and Anglesey Mountain. At higher altitudes, transitional communities with species such as Bilberry *Vaccinium myrtillus* occur. On the lower slopes and in hollows the damp microclimate allows wet heaths to develop. This community is characterised by the prominence of Cross-leaved Heath *Erica tetralix*, Common Cottongrass *Eriophorum angustifolium*, Bog Asphodel *Narthecium ossifragum* and Sphagnum bog-mosses. Some of the slopes are flushed by mineral rich waters and are dominated by sedges such as *Carex dioica* and *Carex viridula* with herbs such as *Succisa pratensis*.

Extensive areas of dry Heath are quite scarce in Northern Ireland and there are only 10 sites scattered around Northern Ireland. Carlingford Mountain SAC in the Republic of Ireland directly abuts the Clermont and Anglesey Mountain. There has been burning on parts of the site, but in general management seems to have been about right on this site, with 3 or 4 landowners. Current management has not yet been discussed with the landowners.

Council Members comments:-

- What are the implications of maintaining Good Agricultural and Environmental Condition for the management of the western gorse, which could be considered to be scrub? Is Cross Compliance enough to protect sites such as this; or is it essential to bring them into Agri-environment Schemes.
- Grazing – is there a preference for cattle and horses or might NIEA want to keep operations open to sheep at this stage.

NIEA Comments:-

- Notifiable operations are still in place to prevent certain actions taking place.

5.6 Knockadoo Wood

Extent – 7.01 ha.

This 7.01 ha wood is situated to the north of Cookstown, just west of Moneymore. It is a long-established woodland which has developed along a steep-sided valley running from west to east along a tributary of the Ballymully River to the south of Knockadoo Hill. The majority of the woodland occurs on the south facing slopes with two pockets of woodland on north-facing slopes to the south of the stream. At the eastern extent of the woodland, the valley floor levels out resulting in waterlogged conditions. This variety of environmental conditions has promoted the development of several distinctive woodland plant

communities. As a result, the area is one of the richest for woodland plants in the Sperrins region.

The composition and structure of the wood reflects the variation in environmental conditions in addition to past and present management conditions. Most of the wood occurs on acidic soils on the steep-sided slopes where the canopy is dominated by Downy Birch *Betula pubescens* and mature Oak *Quercus* spp. In localised pockets where the soils are deeper and more base-rich, Ash *Fraxinus excelsior* and Hazel *Corylus avellana* are more characteristic of the canopy and at the eastern end of the woodland where soils are waterlogged the dominant trees are Alder *Alnus glutinosa* and Willow *Salix* spp.

There is a varied ground floor community with quite a high species diversity. The Ancient Woodland Register shows that the wood has a long lineage. To set it in its geographical context, there is a concentration of this type of woodland in the Sperrins and around west Fermanagh. In general woodlands do not need a lot of management, though it is important to ensure that it is not heavily grazed.

Council Members comments:-

- This is an area that the Countryside Survey highlighted, associated with very species-rich hedges.
- Suggestion of combining the various parts of the site within a single boundary.
- Many woodlands do need more active management - ancient woodland has often survived because it is actively managed. There is not enough guidance as to why this area is designated, particularly on the most important feature, the composition of the soil and vegetation. It is also important to stress that this is a climax community developed over very long time scales.
- On a site where you are thinking of long term objectives, it is essential to build the right sort of relationship with landowners.

NIEA Comments:-

- The area to the north east has been brought in as it is now woodland. Mr Corbett will check a couple of areas for the reason for not including them in the ASSI.
- In terms of urgent management of wood, not a lot of management required, except preventing uncontrolled felling.

Mr Corbett to investigate all the issues raised by the Council members.

The Chairman thanked Mr Corbett for his presentation.

CNCC endorsed all the ASSIs presented.

6. CURRENT PROGRESS WITH THE ASSI PROGRAMME

Mr Corbett gave an update on the progress with the ASSI Programme.

Introduction

NI began its ASSI declaration programme in 1985. It still lags well behind the rest of the UK in terms of its ASSI/SSSI network (around 7% of land designated compared to around 10% for the UK as a whole).

NIEA is currently working towards the completion of the bulk of the programme by 2016 ("The Priority List"), although the recent ASSI Review (presented to CNCC in 2012) acknowledged that the completion date is now more likely to be 2018. This estimate is based upon a figure of 15 new ASSIs declared per year.

The actual declaration process has become much more complex over time and requires co-operative efforts from four functional units – field surveyors from Conservation Science (CS), liaison officers from Regional Operations (RO), administrative staff from Conservation Designations and Protection (CDP), and data mapping specialists from Evidence Team in Biodiversity Unit (BDU) – all working together to a very tight schedule. CS is clearly the "front-end" of the process, but bottle-necks can occur anywhere in the system.

Programme for Government Targets

Currently, there are around a dozen proposed ASSIs that have been approved by CNCC but not designated. However, many of these have issues that may well prove difficult to resolve in the short-term, such as ongoing planning applications and liaison issues.

In ideal conditions, there would be a large pool of potential ASSIs that can be used to keep the system "primed". These potential ASSIs are normally identified during a reconnaissance survey (in-house or contract); they are then given more detailed survey to confirm ASSI status. Generally, the more detailed survey will take place during one field season, with write-up and report during the following winter. Sites are then presented to CNCC in winter or spring, with the aim being to declare in the following year. In normal circumstances, therefore, ASSIs have a "lead-in time" of around 2 years – even longer for larger and more complex sites.

We currently have around 10 additional sites that should be presented to CNCC in November and January – but not all of these have the potential for "fast-tracking" as ASSIs in 2013/14. With such a small pool of sites "in the pipeline", the Programme for Government (PfG) target of 15 ASSI declarations per year for 2013/14 and 2014/15 is going to be very difficult to achieve.

Resources and Priorities

It is worth considering why the programme has become so challenging to deliver:–

1. Resources within CS

Over the last few years, the numbers of CS staff have decreased – the loss of an Earth Scientist HSO has been particularly damaging to the programme. In addition, we currently have several staff off on sick and maternity leave.

2. Competing priorities within CS

Completing the Article 17 report placed great pressure on CS staff. More recently, the Article 12 SPA Report and the SPA Review have also been taking up a large amount of CS resources, and will continue to do so for some time. In addition, there is a huge volume of planning casework, a large proportion of which is generated by windfarm applications.

Lack of adequate resources and other work priorities have led to the pool of sites for CS to progress as ASSIs dwindling away. The net result is that CS is simply unable to deliver sufficient pASSIs to maintain a declaration rate of 15 ASSIs per year.

The Way Forward – A Partial Solution

One option that we are currently examining is setting up a partnership agreement with Geological Survey (GSNI) to develop a support programme for geo-conservation. Through this means, NIEA would part-support a post at GSNI to deliver some of our earth science work needs, principally on the ASSI designation programme. GSNI and NIEA already have a service-level agreement in place and this could be extended, with NIEA providing a level of funding for an agreed time period to give us an assured earth science input to the ASSI programme. In addition, it would allow progress to be made on a range of other issues for NIEA (e.g. site condition monitoring).

Allocation of some proportion of this post (to be agreed) as NIEA support officer would provide NIEA with an appropriately qualified geologist with experience of geo-conservation issues, together with backup support from staff of GSNI. Preliminary discussions with senior staff in GSNI have been positive and we are hopeful that this arrangement could be in place in April 2014.

This solution could provide NIEA with between 10-15 earth science ASSIs per year for the duration of the contract, and should enable us both to meet current PfG targets, and to work towards the completion of the Priority List by 2018.

Mrs Stevenson noted that firstly, possibly the designation process is not enough and the PfG target should include management. Secondly, the PfG target should include designation but not specify designation. Thirdly, it should now be possible to specify which posts are specialists, and advertise and appoint them as such. Geologist posts stick out as specialist. In terms of taking the process forward, NIEA is fire fighting at the moment, but is planning to take on approximately 50 new entrants at a graduate level in the next few months, which will be a help but not an overall solution.

Council raised the question of geomorphological expertise that was required as well as geological.

Mrs Stevenson reported that there is a Land Matters Task Force meeting shortly and that this CNCC meeting is timely and important. Mrs Kirkpatrick stated that NIEA will take a number of points discuss today to the Land Matters Task Force meeting. There is a Need to do something, need to be up front about this, spoke to landscape architects, and work with land matters task

force. Risk is all work on our own and come up with different ideas. We have got a plan, and this area of work will fall to a Landscape Architects team. Plan to set up internal groups, with first group working on landscape character assessment, second group developing a national landscape strategy. Suggest work on a month or so, report to CNCC at January meeting.

Mr Archdale reported on being at a conference where the keynote speaker in the morning was Ms Sally Thomas, Scottish Government, head of unit that introduced land use strategy in Scotland. This has been extremely successful in Scotland as they started at the bottom. It is essential that the same approach is taken in Northern Ireland.

Broke for Lunch

Ms Stevenson, Mr Corbett and Mr Enlander left the meeting at this stage.

Mr Wolsey left the meeting at this stage.

7. CHAIRMAN'S BUSINESS

The Chairman apologised for his failure to complete some work, explaining that he had been diverted by a range of other pressures on his time. These included:-

- Appointment of a new Chief Executive for NIEL
- Challenge Fund Judging - 377 applications.
- Recruitment of new Chairman for CNCC – the paperwork has been agreed and advertisement placed.

Professor Orford reported that Dr Dai Roberts, Queen's University Belfast, is the new Chairman of the Coastal Marine Forum.

Planning Bill:-

The Minister decided not to proceed with the Planning Bill on 22 October 2013. The Chairman and Vice Chairman were summoned to a meeting with the Minister on 17 October 2013 along with a group of Environmental NGOs. A broader group of business and academic interests met the Minister prior to the eNGO meeting. Both groups advised the Minister to abandon the Planning Bill, giving a wide range of reasons why they felt that it would be disastrous.

SAC Chairmen meeting the Minister:-

This has been arranged for 5 December 2013. It has been agreed that we should raise the issue of a land use strategy.

Windfarms: -

The Chairman joined HMC on Knockdhu ASAI on 14 November 2013 – looking at a proposal for a windfarm consisting of 11 turbines. The landscape is full of archaeological remains, creating an important cultural landscape that will be completely changed by the windfarm. It also lies within the Antrim Coast and Glens AONB. Two other AONBs are also under threat from large scale windfarm developments - Benevenagh and the Sperrins. The main problem seems to be that once one windfarm is approved within an AONB it opens the

floodgates for many more applications and a higher probability of further approvals.

8. MINUTES OF PREVIOUS MEETING

The Chairman apologises that he has not yet finalised the minutes of the CNCC meeting held on 8 March 2013, 9 July 2013 and 27 September 2013.

9. MATTERS ARISING

European Union Funds Update – The Chairman wrote to the Chief Executive of NIEA to request an extended contract is offered to Professor Platt to bring the important projects he is working on to a conclusion. The Chief Executive responded stating that he was keen to re-employ Professor Platt, and was exploring the mechanisms for doing so.

Management of Periwinkle Harvesting – the Marine Working Group to consider the intertidal harvesting issue at their next meeting.

Chalara Ash Die Back – The Chairman will write to the Forest Service highlighting the need to continue planting Ash.

AONB Protection and Management

The Chairman to draft a letter, to Mr T A'Hearn, which he will circulate to CNCC members for comment, before sending.

Action:-

Chairman

The Chairman reported that a Land Matters Task Force had been set up under the auspices of NIEL, and that this is a timely and important development. The Task Force has set up two sub-groups, covering Landscape Strategy and Land Use Strategy respectively. Mrs Stevenson stated that NIEA will work closely with the Land Matters Task Force while remaining formally outside it. NIEA are progressing a programme of work on landscape, which will be carried out by the Landscape Architects team. The plan is to set up two internal groups, with first group working on revision of landscape character assessment, and the second group developing a national landscape strategy. Progress will be reported to CNCC at the January meeting.

Mr Archdale reported on the last meeting of the Land Matters Task Force where the keynote speaker was Ms Sally Thomas, Scottish Government, head of unit that introduced land use strategy in Scotland. This has been extremely successful in Scotland as they ensured stakeholder buy-in through a bottom-up approach. It is essential that the same approach is taken in Northern Ireland if we are to have any chance of success.

PPS2

The Chairman to write to the Minister, regarding PPS2 Supplementary Guidance. The Chairman had written, and received a reply stating that the publication of the SPG would follow the adoption of the Strategic Planning Policy Statement.

ASSI Programme

The Council is concerned about the current progress and NIEA to bring an update to the November meeting. NIEA had updated Council at this meeting.

Article 12

Mr Corbett to send link to Article 12 Consultation to Secretariat to forward to selected members. Secretariat sent this to CNCC members.

Anaerobic Digesters Visit on 26 November 2013

Members reported that the visit to the AFBI site was not very satisfactory, with detailed discussion being discouraged. By contrast the experience at the second site was very useful. They had been seeking clarification on the impact on grassland, and were given fairly good reassurance from Blakiston Houston Estates that they were looking carefully at it and would send a paper to Mr Archdale who will circulate it to CNCC. Blakiston Houston Estates are keen to utilise any organic waste as feedstock for the digester but have only got planning permission for slurry and silage. The use of non-agricultural organic matter requires a completely different licence. Their financial return is through ROCS. They are also exploring the use of the heat generated by the digester, currently used to dry timber, but because of their location there is potential for district heating.

Shoreline Management Conference

The Chairman reported that this had been a very successful conference. The Chairman thanked Professor Orford for organising the speakers who provided an excellent logical sequence to the conference, as well as clear, well-presented contributions. There had been a terrific attendance and a good discussion and workshop session with a very high level of agreement.

Mr Archdale noted that Mr Chris Boomer is going to be taking on the area planning function and had agreed to meet with the Chairman and the Vice Chairman in January. Secretariat to arrange a date for this meeting.

Action:

Secretariat

Mr Wolsey returned to the meeting.

10. CNCC WORKING PROGRAMME

The CNCC working programme was circulated to members at the meeting. The following items were added:-

Debate on the Agri-food Strategy on 10 December 2013 – Chairman.
DEFRA Review Fisheries Conferences – discuss with Marine Division.
27th round of offshore – like to have a look at.
TB Stakeholders – 4 December 2013.
WHS Steering Group - 9 January 2014.
Implementing the Bio Diversity Duty – 28 January 2014.

Biodiversity Strategy – the Deputy Chairman gave brief background. Currently with printers and will go out to consultation for return in March. Secretariat to circulate Biodiversity Strategy to CNCC members, when it becomes available.

Action:-

Secretariat to send out Biodiversity Strategy to members when it becomes available.

Secretariat

Strategic Planning Policy Statement – Chairman at meeting called by Planning Policy Division, involving range of stakeholders including many eNGOs. Planning Service proposal made good sense, if they could follow the Scottish model, but the fact that it would be preceded by a Northern Ireland Executive statement means that it will remain vulnerable to political manipulation. A SEA of the SPPS is running in parallel to the evolution of the document and the Chairman had commented extensively on the scoping document for it highlighting a number of gaps.

11. CNCC WORKING GROUP REPORTS

Marine Working Group Minutes for meeting on 9 September 2013 were circulated at the meeting.

2/10 – SPPS

8/10 – Agri-Environment Schemes.

16/10 – Celebration of last year's Challenge Fund Event.

Paper on Natural Heritage – overseeing role.

20/10 - NIEL Heritage Conference.

31/10 – Areas of Natural Constraint.

6/11 – CAP Pillar 1.

21/11 – JNCC – protected areas.

Professor Orford left the meeting at this stage.

12. MEMBERS REPORTS

Strangford and Lecale Outdoor Recreation Forum

Mr Andrew Upton attended the Strangford and Lecale Outdoor Recreation Forum on 10 October 2013, 7.00-9.00 pm at Mount Stewart and had filed a written report

CEDaR

Dr Cooper reported that CEDaR has produced an Annual Report, giving details of the achievements of CEDaR. The new surveillance officer would help with species reporting. He had become aware how many activities in CEDaR are taking place that are not linked to NIEA in monitoring outcomes.

Mr Mark Wright, chaired the meeting, is working towards change to get work done and there was a productive discussion on the need to link the bulk of the recording activity to clear outcomes. Dr Cooper to send minutes to Mr Archdale.

Mr Archdale reported on an Environmental Recorders Group meeting where concern had been raised about the Ulster Museum getting rid of all their curators. Mr Archdale suggested getting Mr Mark Wright to present a paper on recording and data management to the CNCC.

Mr Wolsey left the meeting at this stage.

13. GENERAL INFORMATION

Events List

Mr Archdale, Dr Cooper, Professor Orford and Mr Upton all tabled the events they attended since the last meeting held on 27 September 2013.

14. ANY OTHER BUSINESS

Borehole abstractions. Mr Traill reported that almost none are licensed or paying for abstraction. They are seriously depleting aquifers and affecting ground water. Mr Archdale reported that the NI Water Strategic Water Plan consultation is due out soon. It appears that GSNI get a report when a new borehole is created, and could report to NIW or NIEA. The Chairman to write to Mr Dave Foster, regarding this issue.

Action:-

The Chairman to write to Mr Dave Foster regarding Borehole abstractions.

Chairman

15. DATE FOR THE NEXT MEETING – 31 JANUARY 2013

Venue – Belfast Castle.

Patricia Casement
31st January 2013