DAERA DEPARTMENT OF CULTURE ARTS AND LEISURE SALMON AND INLAND FISHERIES

FORUM

-Note of Proceedings-

MINUTES OF THE QUARTERLY MEETING OF THE SALMON AND INLAND

FISHERIES FORUM NI HELD AT DAERA FISHERIES, MAHON ROAD

PORTADOWN ON WEDNESDAY 14 SEPTEMBER 2016 AT 2 PM

Present Mr Edward Montgomery (Acting Chairman)

 Mr. Francis Conlon

Mr. Jack Tisdall

Mr. Aiden Hannon

Mr .Pat Close

Mr John Mc Williams

Mr Jim Haughey

Mr Albert Keys

 Dr Paul Johnston

 Mr. Gary Houston

 Mr Robbie Marshall

 Mr Robert Murtland

Apologies Mr Mark Horton

Mr. Michael Crilly

 Mr Seymour Sweeney

In attendance

DAERA Mrs Fiona Lavery (Minutes)

DAERA Mr Seamus Connor.

Mileage sheets were distributed to members for completion.

1. Apologies

- As listed above.

1. **Minutes of the last meeting – 15 June 2016 for approval**
* Paul Johnston queried the correct name for Mr A Scott – second paragraph, page 2. Mr Montgomery confirmed that it was Alister Scott, Roe Anglers’ bailiff. Minutes to reflect this change.
* Albert Keys – In relation to Point 4 in the minutes should have reflected more detail on the discussion held on Permitted Control Activity. Mr Keys felt that local Northern Ireland legislation allows DAERA to block a salmonid river . Seamus Connor agreed to clarify fish passage legislation. Mr Paul Johnston provided his understanding of Permitted Control Activity. In reply Seamus Connor outlined the limits in relation to water abstraction. Mr Jim Haughey queried if there was an actual permit issued in this transaction. Seamus Connor agreed to investigate this and respond, continuing he suggested that as NIEA deem this as a lawful activity he felt that there must be some form of permission. It was then agreed that NIEA should be invited to attend the December SIFF meeting to outline the application process for Permitted Control Activity
* **Action point Seamus Connor to clarify fish passage and Permitted Control Activity. Invitation to be extended to NIEA to attend December SIFF meeting.**
1. **Matters arising from last meeting – 15 June 2016**

Matters dealt with above.

1. **Correspondence**

Members referred to the correspondence previously circulated :

1. Letter to John Speers and reply from Mr Speers.
2. Letter to the Minister.
3. DAERA organisation charts

No reply has been received from the correspondence to the Minister. Discussion continued on the matter of a reply from John Speers on Hydros. It was agreed to invite someone from NIEA to the next SIFF. Seamus Connor agreed to contact NIEA and invite a representative to the next SIFF to cover both Permitted Control Activity and Hydros.

* **Invitation to be sent to NIEA representative to attend next SIFF meeting.**

Moving to the DAERA organisational charts, Mr Haughey thanked Seamus Connor for circulating the Environment, Marine & Fisheries Group organisational charts. Mr Haughey was unsure of the job grade abbreviations, which were clarified. Mr Montgomery suggested that this document should be circulated annually. Seamus Connor highlighted the amalgamation to one Grade 7 post within Inland Fisheries for both Technical and Policy side.

1. **DAERA Bait Net Report**

Seamus Connor presented some aspects from the report, highlighting the historical methods of using a Bait Net and the use of the Departmental Section 14 to facilitate monitoring. Discussion was held on the AFBI results and the bait net contents. Seamus Connor advised that the Section 14 was to continue as well as the on-going Pollan Fry survey work. In conclusion, Seamus Connor advised that the overall recommendation was that there was a negligible impact on Lough Neagh given the low intensity of the bait net fishing. Discussion was held on conservation levels. Mr Tisdall queried the number of fishermen involved and the remit of the Section 14 Permit. In response Seamus Connor advised that the fishermen are named on the Section 14 Permit. Aidan Hannon queried the graph titled % u size compared by capture method (N=49) and asked what others were in the analysis. Seamus Connor agreed to provide an answer by the next meeting. Mr Jim Haughey raised the matter of the timescales in the production of the report, he suggested that it had taken too long a time to produce. In addition he would prefer to write out a set of queries in relation to the report and asked if DAERA could respond in writing. He also queried the Pollan Fry report and asked if a copy could be made available. In reply, Seamus Connor advised that the format of this report was a research document which contained survey results and anecdotal evidence. Mr Haughey asked if any published reports were available and Seamus Connor advised there were none at present. The Pollan Survey was a PhD research report completed by Warren Campbell and some of the findings had been presented to the SIFF. Mr Paul Johnston advised that the research report was a very good report and he had no concerns. He noted that the sand dredging was continuing in an area of Lough Neagh which was known to be prolific with fish stocks. Mr Pat Close advised that fish stock survey work was on going and stressed that this process and the data obtained was needed to formulate conservation policy. He outlined the process for fish released from nets during the eel fishing season and highlighted the numbers of fish washed away down the Lower Bann. Mr Albert Keys queried the age distribution and size of fish lost by the use of a Bait Net. In reply, Seamus Connor advised that Pollan stocks are extensive. Aidan Hannon noted that LN fish stocks are concentrated in the Ballyronan area of the Lough but rejected Seamus Connor’s optimistic view on Pollan stocks stating that they were worse than ever last year and it is the same this year. Following a request from Jim Haughey to defer this agenda item to the next SIFF meeting, members agreed. Aidan Hannon asked if the Bait Net report was a public report and Seamus Connor confirmed that it was a public report and was available on the DAERA website. Edward Montgomery asked Pat Close how the new LN Permitting System was operating. Mr Pat Close advised that it was introduced on time - 1 June 2016 and that there were two types of Permits 1. A Commercial Permit and 2. A Hobby Permit < 100 yds. To date 58-60 Commercial Permits have been issued and 21-22 Hobby Permits. He confirmed that they were getting feedback on catch levels. He advised that as the Eel season declines the fishermen will move to scale fishing. Mr Murtland queried the monitoring of fish stocks and felt that it should be compulsory. In reply, Seamus Connor advised that monitoring and data collection is a vital part of the Fisheries Management Plans. Mr Gary Houston suggested that the Pollan Fry Report should be made available. Seamus Connor advised that the data from the report had been presented, but agreed to find out if the Pollan Fry data could be presented in a graph format. Mr Jim Haughey stressed that a paper report was essential. Mr Haughey moved to the status of eel stocks in Lough Neagh. Seamus Connor advised that LN is meeting a 40% escapement requirement but that elver numbers are still a worry with the continuation of a downward trend. Aidan Hannon queried if the LN fishermen could respond to the Bait Net Report. In reply Seamus Connor advised that they could use the DAERA Angling Correspondence email box.

* **Seamus Connor to provide a response to the query from Aidan Hannon re Bait Net Report.**
* **Bait Net Report to be included in the agenda for December 2016 SIFF meeting with any questions to be submitted to Fiona Lavery.**
* **Results from Pollan survey to be presented to SIFF**
1. **Sand Extraction Lough Neagh (LN)**

Pat Close advised that the matter was still in a holding pattern, as sand extraction continues. Fish surveys were carried out over the summer months. Pat Close updated on consultation advice he provided to consultants on the methods proposed for the forthcoming fish survey. Continuing, Pat Close advised that the Environmental Impact Assessment is due to be completed in October and it is possible that a 12 month extension may be requested. Pat Close advised that he had initially asked for a precautionary approach and advised that he will oppose any further extension as in his opinion there will be no definitive resolution. Mr Murtland suggested that the new A6 road development may be using a lot of the sand. Mr Haughey referenced a complaint made to the Environmental Directorate and the reply from Defra which noted the LN complaint but he had not received a formal reply. He suggested that possibly the matter was being addressed at this level of government.

1. **Fisheries Bill Team/Joint Approach with Loughs Agency**

Seamus Connor advised that a co ordinated approach will be developed and that although the old Fisheries Bill Team was disbanded, the Department was currently reviewing the possibility of staffing the area of legislation change. Currently there is not a Bill team in place but it is under review as a priority. Mr Montgomery asked if any previously completed work would be lost and Seamus Connor confirmed that they would have to start the process again. Mr Paul Johnston queried if the Loughs Agency were in the DAERA structure and Seamus Connor confirmed that they were an agency within DAERA Marine Fisheries as FCILC. Gary Houston asked if the legislation recommendations provided by SIFF had been adopted and Seamus Connor advised that DSO had advised that the Department would not have been able to implement the changes and the Department was bound by their advice.

Mr Haughey outlined the scenario that when the question for advice was put to DSO and the request was rejected, would it not be acceptable to then put the broad principles to DSO and ask them to recommend the legislative changes which could be taken forward. In reply Seamus Connor agreed to revisit the last advice received, but stressed that legislation is a complex area and until the Bill Team were back in place nothing could be taken forward.

* **Seamus Connor agreed to circulate the last legislation advice from DSO and revisit the matter.**
1. **Update on Implementation of new on line licence /Permit system.**

Seamus Connor advised that the system had received very positive reports. The system now provides access to live information. Following a query from Jim Haughey, Seamus Connor confirmed that all the data had been transferred from the old licences. Mr Montgomery asked if any of the Distributors were not going forward with the new system and Seamus Connor advised that the Department’s route is to include Distributors, but a few had dropped out, concluding that on line and digital is the way forward. NI Libraries are being brought on board to assist but overall it has been a very positive response. Mr Montgomery suggested that there was now a need to analyse angler data in more detail, such as tourist numbers and type of fishing undertaken. Seamus Connor advised that this was now available. Mr Marshall queried use of the ‘FishPal’ booking system. Seamus Connor confirmed that DAERA have their own site for the Public Angling Estate. Maurice Parkinson asked if a reminder process was in place and Seamus Connor advised that there is not a reminder process. Mr Marshall asked if any prosecutions had been through courts using the new licence and permit system e.g. had the system been tested? In reply Seamus Connor agreed to respond to this query by the next meeting. Continuing Mr Marshall asked if the Foyle Endorsement was available on the DAERA site. Seamus Connor advised that it was not available but that there was a proposal for the LA to come on board with DAERA and have a joint licence and permit distribution system. Mr Albert Keys suggested that a reminder should be sent to the public with rules and regulations and useful information at the start of the year. Discussion was held on the issue of Section 14 permits.

* **Seamus Connor to collate list of prosecution cases processed from new LPE system.**
1. **Any other Business**
2. Mr Mc Williams queried the public availability of the Lower Bann counter figures. Mr Seamus Connor advised that the data is currently being reviewed.
3. Mr Murtland circulated a handout for general information, reporting that GB are to allow 60,000 sea trout to be netted in the North East. Continuing, he advised that the Lough Neagh Landscape Partnership had been launched and he suggested bringing the sand dredging matter to their attention.
4. Mr Albert Keys raised the matter of the Rivers Trust Conference, which provided a lot of positive discussion. He felt that the Northern Ireland Rivers Trusts should be better funded and were being left behind compared to GB mainland Rivers Trusts. He suggested that the Rivers Trusts should be linked to Government Bodies as there was a lack of investment. Mr Montgomery suggested that this should be raised with the Minister. Continuing Mr Keys suggested that the Rivers Trusts should earn income by carrying out river survey work for the Government Departments. It was agreed that this matter should be recorded and highlighted in any discussion with the Minister.
5. Mr Keys raised the matter of a recent EU determination that body surface water deterioration is a breach of the Water Framework Directive (WFD). This determination refers to a Port but in comparison the Kesh Bridge currently breaches the WFD. In reply, Mr Haughey noted that UK measurements are based on the overall length of the water body (1.8 kms) and loop holes exist and derogations may be written.
6. Mr Albert Keys advised that a 14lb Trout was caught in Colebrook.
7. Mr Robbie Marshall advised that a Fishing Conference was to be held in Craigavon Civic Centre on 5 November 2016. Continuing, he advised that Professor Strong of UU had a remit to investigate the Rivers Agency Flood Directive and the aspect of soft engineering rather than hard engineering.
8. Mr Robbie Marshall requested an update on the Lough Neagh and Lough Erne Fisheries Management Plans. Mr Seamus Connor advised that 110 responses had been received and assessments will need to be made. It was envisaged that the report will be finalised and with the Minister by the end of March 2017. Departmental changes have delayed the process.
9. Mr Jim Haughey outlined a Hydro complaint made by the UAF to NIEA in June 2016. To date no response has been received. He suggested writing to the Minister and to request an outline of the procedures in place for the monitoring of Hydros and any new proposals. Members support this action. Referring to a previous agenda item Seamus Connor suggested that the action point agreed earlier in the meeting to invite a representative from NIEA to cover both the topics of Hydros and Controlled Permitted Activity may be a more suitable way forward.
10. Mr Pat Close raised a query in relation to the flooding of LN and the Lower Bann and asked if stakeholders could be involved in the LN policy decision and water level management as Rivers Agency are now a different Department and fisheries interests may not be considered. It was suggested to send a letter to Minister Chris Hazzard, Department of Infrastructure raising this matter. General discussion was held on flood management.
* **Chairman to write to Chris Hazzard to highlight Fishery interests in any Flood Management Plans (Rivers Agency).**
1. **Date of next meeting.**

**The next SIFF meeting will be held on Wednesday 14 December 2016 in DAERA 1 Mahon Road Portadown at 2pm.**

As there were no other items for discussion the meeting ended and the Chairman thanked the members and DAERA staff for attending the meeting