

**COUNCIL FOR NATURE CONSERVATION
AND THE COUNTRYSIDE**

**101st CNCC MEETING
THURSDAY/FRIDAY 12/13 JANUARY 06
AT THE RADISSON ROE HOTEL, LIMA VADY**

PRESENT:

Dr L Blakiston Houston – Chairman
Mr B Murphy - Deputy Chairman
Mr J Anderson
Mr B Banks
Dr B Brown (Item 1 and 2)
Mr G Clarke (item 1 and 2)
Mr P Cregg (item 3-14)
Mr J Furphy

Mr A Gibson
Mr J Jackson
Mr H McBride
Prof D Wilcock
Prof I Montgomery
Mrs H Northridge
Prof B Smith (Item 1 and 2)

IN ATTENDANCE:

Mr G Seymour, EHS

Mr M Wright, EHS

Mr E Houston, Marengo
(Item 3-14)
Mrs V Hamilton, PS (Item 3-14)

Mr Cyril Francey, Secretariat

OUTGOING MEMBERS

Mr S Peover, Permanent Secretary of DOE attended a reception for those members of CNCC who had completed their term with Council and new members of the next Council. He thanked the outgoing members for their work and commitment to Council and marked the occasion with a gift of a book from the Department. He also welcomed the new members who were present and wished them well in their forthcoming role.

1. APOLOGIES

Apologies were received from Mr A Malley, Mr B Coburn and Mr A Kilgore

2. PRESENTATION AND DISCUSSION ON BIODIVERSITY REPORT

Dr Brown outlined the background to the development of the NI Biodiversity Strategy and the setting up of the NI Biodiversity Group. The UK had signed up to the global Biodiversity Convention and produced a Biodiversity Action Plan in 1994 with its main objective to halt losses of biodiversity by 2010. The EU Action Plan also has the same target date.

The NIBG was set up in 1996 and after a consultation process it established the NI Biodiversity Strategy which was ratified by the NI Executive in 2002. The Executive stressed the urgency for implementing biodiversity action plans and set a target date of 2016 to halt the loss of biodiversity in NI. The NIBG was given the task of overseeing and monitoring the delivery of the strategy and has a remit to promote awareness of biodiversity throughout NI. An inter-

departmental group was also established to ensure best practice and has responsibility for delivery of the Strategy at departmental level.

The NIBG produced its first report in 2005 and Dr Brown highlighted some of the main sections including (a) Implementation by Government departments (b) species of conservation concern and action plans (c) species and habitats action plans (d) delivery at local level (e) work of the NGOs and (f) raising public awareness.

Recommendations

Dr Brown outlined some of the main recommendations of the Report and commented as follows: -

- The need for Government to set out a statement of relationships of the various government strategies.
- There must be clear lines of accountability for delivery of these strategies.
- Each Department is to produce implementation plans. It was important that the plans established by departments are filtered down with appropriate advice, training and support for staff. A government Biodiversity Officer is to be appointed to support the work of the departments.
- So far EHS has produced an implementation plan. Monitoring work for species conservation and habitats it needs more resources.
- There is a need for EHS and DARD to have an integrated approach to maximise resources, and to deliver effectiveness of biodiversity
- A major campaign is underway by EHS for raising awareness of biodiversity. The Report suggested that it might be useful for Council to have a presentation on this campaign.
- Biodiversity expertise was needed within PS and in-house responsibility taken on board. The mechanisms for assessing the impact of developments on biodiversity were not clear. The review of public administration should also ensure that the proposed transfer of responsibilities in a wide arena, including planning, to local councils should also include the different sectors of responsibility for biodiversity delivery.
- There appeared to be varying approaches taken by DARD to environmental and biodiversity issues. It was important to have direction from the top levels of management in order to ensure consistency of approach. It was also essential for agri-environment schemes to be linked at a strategic level for species and habitat action plans. In the case of Forest Service there was a need to emphasise its biodiversity role through restoration of ancient woodlands and other habitats. The current Fisheries Division Net Benefits consultation included biodiversity measures and this work was on-going. There was a need for Fisheries to liaise more closely with EHS to achieve objectives in marine species and habitat action plans.

- In the field of education, it is proposed that there should be a stronger emphasis on biodiversity within the school curriculum.
- DETI is to be encouraged to urge industry to look for opportunities to embrace biodiversity.
- In the case of DRD and Roads Service there was a need for it to show consistency in its approach to environmental works, for example, the use of native seed species in replacing trees or plants.
- Water Service should liaise more closely with FS on biodiversity issues.
- There was a need for Northern Ireland to consider how the difference in target dates between the EU and NI Strategies for achieving a halt to the loss of biodiversity can be reconciled. The Report welcomed the liaison between NI and RoI on biodiversity and suggested this could be developed further.

Progress

Dr Brown reflected on the delivery and progress of the NI Biodiversity Strategy. He felt that generally this had been slow with some notable exceptions, for example, EHS work and DARD's development of agri-environment schemes. Some 45% of NI was also covered by local biodiversity action plans. However, lessons from action plans showed how difficult it was to recover biodiversity once lost. If NI was to meet the current 2016 target a significant upgrade in commitment and work was needed

Comments

In discussion, a number of points emerged from members as follows: -

- 1** Climate change had not been taken into consideration when drawing up the Report. It was recognised, however, that there would be some loss of particular species but others could re-settle, though it was questionable whether many species could relocate. It was recommended that the NIBG should examine the impacts of climate change and alien species.
- 2** The view was expressed that freshwater species could be affected drastically over the next 10 years. There was a lack of action by government to deal with the control of introduced species and this presented a major problem. Dr Brown pointed out, however, that the Report had highlighted the delivery mechanisms of biodiversity and in many aspects this included climate change and invasive species.
- 3** It was noted that EHS had been involved in drawing up an Alien Species Strategy for the whole of Ireland, but to date nothing has been published.
- 4.** Some members were concerned that there was a substantial impact on resources of industry and business in measuring and monitoring species and habitats. and that these resources may be better directed into practical actions. Members agreed that it was

important to monitor the implementation of action plans to ensure the best practicable options to improve both species and habitats but that more could be done to ensure integration of various monitoring programmes to achieve better value

5. Members also recommended that historical information should also be used. For example, the status of habitats and species could be assessed using botanical records past and present. This could possibly be integrated with the work on the NI Countryside Survey and local involvement through Local Biodiversity Action Plans. The possibility of de-designation should also be addressed where appropriate.
6. In the UK geodiversity underpins the biodiversity and members felt that NI should be brought into line with this rationale.
7. A question was raised about the use of the Landscape Character Assessments in the biodiversity process. It was noted that EHS makes use of LCAs plus profiles in Area Plan work. EHS liaises with PS in identifying designated zones. It appears that some departments and health trusts are opposed to greenbelt and green space zoning in APs because this can have an adverse effect on the value of their properties.
8. Generally, there was a need to raise the awareness of biodiversity within government departments particularly PS, Roads Service and DARD. Members mentioned that biodiversity was not even on the curriculum of agricultural colleges. However, it was hoped that with the change in agricultural education, a wider approach would be adopted of the agri-environment issues through changes in agricultural management.
9. Some concern was expressed about the loss of biodiversity due to poor management of site lines involved in development and public utility works; this was particularly relevant to road works. It was agreed that Council should review the booklet produced by Dinah Browne for Roads Service setting out guidelines for dealing with environmental issues.
10. Members recommended that the sustainable development strategy should be synchronised with the biodiversity strategy allowing for the delivery of biodiversity within its own agenda.
11. The view was taken that all implementation plans and action plans should have targets that are 'SMART'.

Dr Brown tabled responses to the Biodiversity Report and these were generally supportive. Dr Brown is to discuss them with the Minister so that action can be followed through on the outcomes.

Council agreed that the Chairman writes to the Minister about the Report highlighting the areas of geodiversity/biodiversity, climate change, agri-environment schemes and integrated databases.

ACTION: Write to Minister Chairman

3. MINUTES OF THE 100TH MEETING – 2 NOVEMBER 2005

The minutes of the meeting of 2 November 2005 were agreed.

4. CHAIRMAN'S BUSINESS

4.1 Outgoing Members of Council

The Chairman thanked those outgoing members of Council for their work and commitment during their term of office. This had been greatly appreciated and she hoped that members had found the experience interesting and rewarding.

5. THE MARINE BILL - Views of the Northern Ireland NGO Marine Task Force -

Ms Kate Hutchinson, NGO Irish Sea Policy Officer gave a presentation on why a Marine Bill was needed. She outlined some of the problems associated with the changing marine environment and the activities relevant to Northern Ireland waters such as energy and off shore renewables, fisheries, aquaculture, coastal development, aggregate extraction, shipping and transport. Ms Hutchinson highlighted the problems of current policies and marine legislation and the lack of any coherence in their implementation. The UK government has reacted to these difficulties and is to introduce a Marine Bill. Northern Ireland had recently issued a proposed non-statutory ICZM strategy. The Marine Task force had recommended that this was not sufficient to deliver better marine environment protection or management nor to meet any international commitments to biodiversity and sustainability. The NGO Marine Task Force has drawn up plans to highlight the need for a Marine Bill.

In discussion, members made a number of points and comments as follows:

- The Government's Strategic Environmental Assessment legislation has shown slow progress. There is some liaison between colleagues in NI and the UK but it is recognised that a multi-sectoral approach to SEA is needed.
- The NGOs recognised that the EU's Marine Strategic Framework was currently under discussion but as yet there were no implementation plans
- Members raised some of the difficulties facing NI on implementation of marine legislation; namely the question of ownership of the seabed and also the lack of marine expertise in government. However it was recognised that a marine team had recently been established in DOE EPG.
- Members queried action following the Irish Sea Pilot exercise. It was recognised that there was a need to progress all-Ireland recommendations. The marine task force is discussing marine spatial planning with the ROI authorities.

- Members were concerned that differing time frames of implementing marine legislation across the UK could put at risk a coherent marine policy for the sea area of UK and the ROI
- It was noted that the EU was currently considering a Marine Conservation Strategy and Marine Framework Directive.
- There was concern about an apparent lack of interdepartmental co-operation in dealing with marine issues. It was pointed out although EHS and DARD do co-operate it is not always on a proactive basis.
- There was concern that PPS20 – Development of Coastal areas has not been progressed by DRD. PS informed members that PPs20 was likely to be resurrected again.
- Members raised concern over climate change and erosion rates and recommended research on these topics EHS is currently not resourced to do this work but EPG was considering the issue of climate change.

The Chairman thanked Ms Hutchinson for her presentation and wished her well in the NGO campaign.

6. EHS NATURAL HERITAGE RESEARCH AND DEVELOPMENT STRATEGY

Mr Wright, EHS introduced the paper on the draft EHS Natural Heritage Research and Development (R&D) Strategy. He outlined the background to establishing and developing the strategy which was undertaken by a team within Conservation Science in 2004. Mr Wright mentioned that in addition to this specific Strategy there is a review being carried out of the broader EHS R&D Strategy.

Mr Wright highlighted some of the areas involved in the NH R&D Strategy such as the reasons for R&D, goals, values, strategic tools and research priorities. The paper also included details of the NH Strategic Plan and prioritised programme areas. Mr Wright sought Council's views on the draft R&D Strategy which is due to be completed by March 2006.

In discussion, Council made a number of points and comments as follows: -

- Council emphasised the need for the review of the broader EHS R&D Strategy to include the work of the Environmental Protection Unit and Water Management Unit.
- It was noted that the R&D undertaken by DARD no longer has an emphasis on agri-environment programmes. Council was concerned that this change in tack could lead to a lack of knowledge on environmental issues and might mean any endeavour to fill the gaps with the EHS R&D could be too late. It was suggested that R&D should be approached on a wider perspective by assessing options outside the Department. It was important for EHS to identify gaps in knowledge.

Action: Write to George McIlroy, DARD about its position on agri-environment research Chairman

- Council felt there was a lack of long term monitoring of sites representative of biodiversity and emphasised the need for more detailed information on ecosystems, but it was important to ensure that there was a matching level of funding for the work. EHS took the view that it was hard to argue a strong case for funding of longer-term programmes. It was pointed out, however, that CEDAR holds long term data.
- The question was asked about research projects for the restoration of aquatic habitats by 2015. This would have to be considered in the context of an overall EHS R&D Strategy which would include research within the Water Management Unit.
- There was some concern that research was carried out on a piecemeal basis and lacked complete data sets. It appeared that the EHS budget for research was worked out on need and specific jobs whereas a budget based on per capita of the population could yield a better return for a broader based research programme. The feeling was that this could be accompanied by a more aspirational approach to a R&D Strategy.
- Serious concerns were highlighted about the shortage of expertise within government for carrying out research and it was important for the Strategy to address this shortfall.
- Council expressed concern that there should be sufficient funding to carry out site management research so as to achieve favourable conservation status. It was recognised that if EHS was an independent agency it would be in a better position to access external sources of funding for research such as EU LIFE Programme.
- There was a lack of resources within EHS to carry out research on climate change.
- Members felt that there were a number of gaps in the key issues and objectives and highlighted the need to have a separate marine section within the research strategy.
- Council suggested that there should be an objective within the strategy for the sharing of integrated databases.

Council thanked Mr Wright for his presentation of the draft EHS NH Research and Development Strategy and asked Natural Heritage to have due consideration of the aforementioned points.

7. UPDATE ON THE REVIEW OF THE COUNTRYSIDE SURVEY

Mr Wright gave an update on the ongoing review of the Countryside Survey 2007. The University of Ulster is to undertake preparatory work and a contract is to be commissioned for field surveys. A steering committee is to take the survey forward and a representative of CNCC is currently participating in the process.

EHS is assessing drivers for change in the countryside but this is proving a slow process due to a lack of funds.

Members felt that EHS had a good opportunity to give statutory weight to this survey. They also emphasised the need to take account of the effects of climate change.

8. CNCC 7th REPORT

The Chairman referred to the recent draft of the CNCC 7th Report circulated to members. She emphasised the need to progress the various items of the Report to meet the launch date of 4th April. The Chairman asked for members' comments to be sent to the Secretariat by 20th January 2006.

9. REPORT FROM WORKING GROUPS

9.1 Members noted the minutes of the following working groups:

- Minutes of the meeting of the CNCC Chairs held on 23 November 2005.
- Minutes of the meeting of the Marine Group held on 28 November 2005.
- Draft Minutes of the meeting of the Freshwater and Terrestrial Ecology Group held on 5 January 2006.

9.2 Marine Group

9.3 Modiolus Restoration Plan

Dr Brown highlighted the Modiolus Restoration Plan. He was concerned that the Plan may not be adequate enough to protect the existing pristine community. Dr Brown had concerns about the proposed structure of the Implementation Group with its 2-tier structure. It was also noted that none of the relevant advisory groups had been asked to participate in the proposed Implementation Group despite assurances to the contrary from Government.

9.4 Marine Bill

Dr Brown reported that Council had written to EHS about Council's concerns in relation to the view of EPG that the inclusion of Northern Ireland in the UK Marine Bill may not be appropriate at this stage. A reply ensued which indicates that EPG has set up a team to consider the arguments and issues for including NI in the UK legislation.

9.5 Fisheries Conservancy Board (FCB)

Mr Anderson informed members that he had been briefed that the FCB bailiffs have been put on 3 months notice. It appears that funding for the work of the FCB has been withdrawn and that the FCB could be wound up. Mr Anderson undertook to contact the Water Management Unit to establish the status of the FCB bailiffs within EHS.

ACTION: Contact Water Management Unit Mr Anderson

10. MEMBERS REPORTS

10.1 Members noted the minutes of the following Groups:

- Minutes of the meeting of the NI Water Framework Directive Stakeholder Group held on 7 October 2005.
- Minutes of the meeting of the Forest Service Consultation Group held on 10 November 2005.
- Minutes of the meeting of the NP Interdepartmental WG held on 16 November 2005.

10.2 NI Water Framework Directive Stakeholder Group

Members referred to the minutes of this Group and expressed concern about para. 10 on page 4 relating to septic tanks. It was agreed that Marenco's updated report on septic tanks be circulated to members.

ACTION: Circulate report on septic tanks Secretariat

11. MATTERS ARISING REPORT FROM 100th MEETING

11.1 Review of Environmental Governance

The Chairman informed members that the panel for the review of environmental governance had still not been named. She referred to the paper circulated to members setting out some recommendations on Council's position for consideration.

Members raised a number of points in the areas of independence, landscape protection, different models, size of a protection agency, the problems of enforcement outwith the designating body and the difficulties of an independent body in relating to science when mitigating penalties.

The Chairman undertook to co-ordinate members' comments and circulate another draft for comment. When this process has been completed she will write to the review panel in due course.

**ACTION: Circulate draft and write to review panel
Chairman**

11.2 West Tyrone AP

It was agreed that the Chairman sends a response to the West Tyrone AP on the basis of members' comments at Council's meeting on 2 November 2005.

ACTION: send response Chairman

12. GENERAL INFORMATION

Members noted the contents of the events and publication lists No. 89 and consultation responses.

13. ANY OTHER BUSINESS

13.1 Secretary of State

The Chairman tabled a draft letter to the Secretary of State expressing Council's concerns about Government's failure to accord sufficient priority to protection of the environment in Northern Ireland. Members suggested a number of points for inclusion in the letter. The Chairman is to take on board these amendments and circulate a further draft to members for consideration.

ACTION: Re-draft letter and circulate to Members

Send in comments **Chairman**
Members

13.2 Wildlife Order - Curlew

Members expressed concern that the numbers of Curlew continued to decline because of shooting, particularly on the shores of Lough Neagh. It was agreed that the current review of the Wildlife Order should highlight the protection of the Curlew.

ACTION: Check with EPG that Curlew is included in the revised Wildlife Order **Mr Furphy**

It was agreed that the Chairman and Deputy Chairman should meet the Countryside Alliance to discuss conservation issues.

ACTION: Meet Countryside Alliance **Chairman and Deputy Chairman**

14. DATE OF NEXT MEETING

The next meeting of Council is to be held on 3 March 2006

Members considered dates of CNCC meetings for the remainder of 2006 and agreed dates as follows:

Friday - 3 March
Friday - 5 May
Friday - 30 June
Thursday/Friday - 7/8th September
Friday - 3 November