

**COUNCIL FOR NATURE CONSERVATION  
AND THE COUNTRYSIDE**

**104<sup>th</sup> CNCC MEETING  
FRIDAY, 30<sup>th</sup> JUNE 2006  
AT GREENMOUNT COLLEGE, ANTRIM**

**PRESENT:**

Dr L Blakiston Houston – Chairman  
Mr B Murphy - Deputy Chairman  
Mr B Black  
Mr J Furphy  
Mr A Gibson  
Mr J Jackson  
Mr H McBride  
Dr A McGarel  
Mr J Simpson

**IN ATTENDANCE:**

Mr G Seymour, EHS  
  
Mrs V Hamilton, PS  
Mr M Beatty, Forest Service  
  
Mr Cyril Francey, Secretariat

**1. APOLOGIES**

Apologies were received from Mr M Campbell, Mr P Cregg, Mr D Hughes, Mr A Lonergan, Dr B Brown, Mr J Campbell, Mr M Hill, Mrs B Turnbull, Mr P Warner, Mr R Northridge and Mr J Anderson.

**2. MINUTES OF THE 103<sup>rd</sup> MEETING – 5 MAY 2006**

The minutes of the meeting of the 5<sup>th</sup> May were agreed.

**3. CHAIRMAN'S BUSINESS**

**3.1 Chairs Group**

The Chairman informed members that a meeting of the Chairs is to be held within the next two months to discuss Council's work programme for the next 3 years.

**3.2 NI Biodiversity Strategy**

Dr Brown recently met Lord Rooker, the then Minister of the Environment, in his capacity as Chairman of the NI Biodiversity Group(NIBG). He congratulated him on making the NI Biodiversity Strategy a central plank within all government departments. Departments will now be required to produce Biodiversity Action Plans.

It was suggested that Mr Black and Mr Cregg, CNCC representatives on the NIBG, should discuss some of the issues relating to publicity for taking the Strategy forward.

#### 4. NORTHERN IRELAND FORESTRY STRATEGY

Mr Malcolm Beatty, Chief Executive Forest Service, gave a presentation on the government's forest policy and strategy, published by the Forest Service as "Northern Ireland Forestry, A Strategy for Sustainability and Growth". He outlined the background to the policy and the concerns about the lack of trees in Northern Ireland and associated issues relating to the sustainable management of forests. Mr Beatty highlighted a number of the challenges for protection of the environment while delivering the strategy, under the themes of (a) the potential for increased afforestation; (b) exploitation of public and private forests for timber production, informal public recreation, and release of land for development; (c) protecting and enhancing forest environments.

In discussion, the following main points emerged:

- Although the Strategy was currently in place and represented a way forward for forestry with an emphasis on an increased commercial approach by the FS as an Agency of DARD, this is subject to the outcome of the Review of Environmental Governance. (Note: The Forest Service has now provided written evidence to the Review team.)
- Members suggested that in the case of the EU Habitats Directive it would be advantageous to join up those pockets of forests along wildlife corridors. This would not only benefit wildlife but improve the quality of forest. Mr Beatty pointed out that the strategy recognised the importance of the issue by stating a preference for new plantations to consolidate existing plantations. Connectivity of forests could be encouraged by making advice available and revising incentives through grant aid.
- Key areas for afforestation need to be identified and that process would require consultation. There are many factors to be considered, including conservation designations, landscape character and the historical pattern of forestry activity. Currently, the FS is considering the SW Fermanagh area as a pilot area for testing a methodology for forest planning. This includes how new planting might integrate with existing forest. The Service would like to expose this approach to consultation and peer review, and in this context the Service Plans to host a visit to in this area next May by the Royal Forestry Society of England, Wales and Northern Ireland. Mr Beatty suggested that it might be useful if Council could also include this area as part of its field visit itinerary for 2007.
- Members asserted that the Strategy lacked positive thinking in the areas of (a) social inclusion and the disadvantaged (b) the lack of any reference to the contribution of forests to a healthy lifestyle and (c) the wise use of the countryside for recreation,

for example, mountain biking. Mr Beatty pointed out that the Strategy did address these issues. The Strategy announced an intention to change legislation to create a duty on the Forest Service to balance the activities of timber supply, providing recreational access, protecting the environment and availing of development opportunities. It also provided an example of how delivery through the vehicle of the Forest Service Business Plan provided opportunities to improve public health. FS was willing to allow more recreational activity such as mountain biking within its forest areas, but it also had to consider the impact on resources. He emphasised that the Strategy was at a high level and did not go into detailed activity.

- Members were concerned that the Strategy was too conservative in its approach and felt that opportunities could be missed in developing the recreational and tourism potential of forest areas. In reply, Mr Beatty pointed out that the policy reflected the government's priorities. FS would address the individual issues on a value for money basis, and some of the new direction set by policy would require legislative change.
- There was a view that FS appeared to focus on a commercial approach only rather than recognise the environmental and recreational benefits of forest areas to the public. Mr Beatty pointed out that the strategy required the Forest Service to adopt a more commercial approach. However he informed members that in preparing the evidence for the policy review the Service had analysed how its activities were directed at delivering policy outcomes. The analysis showed that only 50% of its activities were directed at timber production, 30% related to environmental protection and improvement, and the balance of 20% was directed at public recreation on the Forest Service estate. Members expressed concern at the lack of an appropriate budget for maintenance costs of forest land.
- Members were concerned about the siting of windfarms in forest areas, particularly those sited near peatlands. There is a lack of information on the impacts of windfarms on peatlands. Mr Beatty pointed out that FS did not set policy on the siting of windfarms but as a major government landowner it had a role to support policy once that was established.
- In response to a question, Mr Beatty explained that the FS focuses its efforts on afforestation primarily towards landowners because this group has the most direct impact on land use decisions. Nevertheless the Service welcomes input from the voluntary and community sector and has had some small successes in engaging this resource in delivering services on public forests. This is a difficult area for the Service to engage with as it requires a very different way of managing relationships. More work on this is required.

- Members agreed there was a need to address the long term damage to trees caused by the Grey Squirrel. Members were concerned that this damage may influence the policy on planting of forests, particularly as 90% of the new planting relates to broadleaf trees. Members noted that the strategy makes provision for amending legislation to strengthen the controls that might be applied to grey squirrels.
- Members were concerned that the Strategy did not recognise the value of ancient woodlands although they recognised that the Strategy did make provision for the forestry sector delivering the aims of the NI Biodiversity Strategy, of which the ancient woodland issue is a part. Members felt that more could be done to publicise ancient woodlands and identify more sites for restoration, although they recognised that FS gave support to Woodland Trust in planting and restoring sites and had its own programme of identifying and restoring the most important sites on its own estate, and allocates resources through its Business Plan. Members suggested that partnerships might be an appropriate option for FS to pursue.
- Members were concerned about the delivery mechanisms of the FS Strategy. Regulations in rural development are developing at a pace and there was a need to implement biodiversity action plans. It was agreed that the CNCC working groups could follow up the various issues of the FS Strategy.

**ACTION: CNCC Working Groups to follow up aspects of the FS Strategy**

**Chairs**

The Chairman thanked Mr Beatty for his presentation.

## **5. CNCC WORKING GROUPS**

### **5.1 Ecosystems and Designated Areas Group**

Members noted the draft minutes of the meeting of the Ecosystems Group held on 26 June.

## **6. MEMBERS REPORTS**

Members noted the minutes of the meeting of the EQUAL Monitoring Committee held on 9<sup>th</sup> March and the minutes of meeting of the Mourne NP Working Party of 27<sup>th</sup> April.

## **7. MATTERS ARISING REPORT FROM 103<sup>rd</sup> MEETING**

### **7.1 Environmental Governance**

The Chairman informed members that Council is to meet with the Review Panel in August. The Chairs of the various CNCC Groups

are to accompany her. She suggested that it might be useful at this stage if members could access the Panel's website and consider the various submissions of other stakeholders.

Mr Seymour gave a brief account of the EHS meeting with the Panel earlier in the week. He outlined the various issues discussed such as an independent agency, integration of policy, enforcement, accountability and transparency.

## **7.2 ASSI Review**

Mr Seymour informed members that in discussions with the Permanent Secretary it was agreed that there should be no change to ministerial policy on the designation of ASSIs. This means in effect that EHS is to complete its ASSI programme. EHS is to identify a priority list of 200 sites over a ten year period based on its current resources. Condition monitoring and management of unfavourable sites will also be prioritised. He undertook to present to Council the rationale for the EHS priority list.

**ACTION: Present paper on EHS priority list**  
**Mr Seymour**

## **7.3 Modiolus Restoration**

Mr Seymour reported that representatives of EHS and DARD were meeting representatives of the European Commission today to discuss the plans for the restoration of Modiolus in Strangford Lough. He would let members have an update on the discussions as soon as possible.

**ACTION: Update members** **Mr Seymour**

## **7.4 Field Boundaries – Mournes**

Ms Hamilton, PS informed members that PS would be taking up the matter of the eradication of field boundaries in the Mourne area with DARD with a view to establishing if there has been any breach of the planning regulations. PS would take this up as a matter of urgency.

**ACTION: Investigate breaches of planning regulations**  
**PS**

It was agreed that it would be useful to include these issues for Council's field visit to the Mourne area in August, and invite staff from PS and DARD to attend. It would also present an opportunity for Council to look at the boundary of the proposed NP.

## **7.5 CNCC Field Visits**

Mr Murphy tabled some of Council's findings and conclusions following its field visit on the 19<sup>th</sup> June, to LNRs and SLNCIs in the Belfast area. In the case of conclusion (a) relating to some form of statutory protection for SLNCIs, Mr Seymour felt that it could be

difficult to do this given that such powers could be the equivalent of those used for ASSIs. It might be possible to include a broad statement on SLNICs within the proposed amendments to the Wildlife Order. It was noted that SLNICs do have protection under Area Plans, but this was limited.

In the case of (c) relating to obligations on Councils to employ biodiversity officers, Mr Seymour indicated that EHS would have to consider the implications of such a proposal but that it merited further consideration. The Chairman asked that EHS clarify the biodiversity obligations in the proposed amendments to the Wildlife Order.

**ACTION: Clarify biodiversity obligations EHS**

In relation to the implications for biodiversity and the RPA it was agreed that Council should be updated in the autumn on the work of the RPA task force in relation to environmental governance.

**ACTION: Update on work of RPA Mr I Maye**

## **7.6 Ornithological Site Designation Programme**

Mr Seymour informed members that EHS is to consult with the NGOs on this paper and will re-submit it to Council with appropriate changes.

**ACTION: Consult with NGOs and re-submit paper EHS**

## **7.7 Research and Development**

Mr Seymour informed members that EHS had commissioned consultants, Atkins, to undertake a review of the EHS research and development programme. They recommended that EHS prepare a strategy for R&D and a copy of this will be sent to members in due course.

**ACTION: Send Chairman copy of R&D Strategy  
Mr Seymour**

## **7.8 Strategic Environmental Assessment**

It was agreed to invite Mr J Brown, EHS to update members on the implementation of SEA within EHS.

**ACTION: Arrange for update on SEA Mr Seymour**

## **8. GENERAL INFORMATION**

Members noted the contents of the events and publication lists No.92 and consultation responses.

## **9. ANY OTHER BUSINESS**

### **9.1 PPS2**

Ms Hamilton informed members that a meeting of stakeholders involved in PPS2 had taken place; a draft working paper is to be produced by the end of September. It was agreed that this should be submitted to the CNCC Ecosystems Working Group in due course.

**ACTION: Submit draft working paper to Ecosystems Group PS**

## **9.2 JNCC – 26-28<sup>th</sup> June, 2006**

Mr Murphy informed members that as part of the JNCC agenda in June, he and Dr McGarel attended a business meeting of English Nature. An item on the agenda of this meeting involved a substantial debate on a proposal for an SSSI designation of an area of the Suffolk coast, even though the sea was eroding the coastline. A number of houses were at risk and 13 objections to the proposed designation had been made. Legal opinion on behalf of the objectors focused on the human rights legislation and the impact of the proposal on individuals. English Nature took the view that the area under question was of special scientific importance and confirmed the designation. The legal advisers for the objectors expressed the view that this had been an ultra vires decision by English Nature and would appeal against it to the Secretary of State (UK).

Mr Seymour highlighted the difference in the designation process between the UK and NI. The process in NI allows for consultation on the designation only and does not include the referral of objections to CNCC.

## **10. DATE OF NEXT MEETING:**

The next meeting of Council will be held on 8<sup>th</sup> September 2006.

(the meeting finished at 1.00pm)