

COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE

**109th MEETING
FRIDAY, 11th MAY 2007 AT THE GREENMOUNT AGRICULTURE
CAMPUS**

PRESENT

Dr Lucinda Blakiston Houston (Chairman)

Mr John Anderson
Mr Brian Black (Items 1- 7)
Dr Bob Brown
Mr J Campbell
Mr M Campbell
Mr P Cregg
Mr Joe Furphy (Items 1-7)
Mr M Hill
Mr D Hughes
Mr J Jackson
Mr H McBride
Dr A McGarel
Mr R Northridge
Mr J Simpson
Mr P Warner

IN ATTENDANCE

Mr G Seymour, EHS
Mr R Weyl, EHS(Items 1- 7)
Mr P Corbett, EHS(Items 1- 7)
Mr I Enlander,EHS(Items 3-7)

Ms V Hamilton, PS

Dr J Robinson, RSPB(Item 1-4)
Mr B Sutton,Faber Maunsell
(Item 7)

1. APOLOGIES

Apologies were received from Mr A Lonergan, Mr A Gibson,
Mr B Murphy, Mr I McKee.

2. MINUTES OF 108TH MEETING HELD ON 9TH MARCH 2007

The minutes of 108th meeting held on 9th March 2007 were agreed.

3. CHAIRMAN'S BUSINESS

3.1 PPS14: Sustainable Development in the Countryside

The Chairman informed members that she and Mr J Anderson had attended recent meetings of the Rural Stakeholder Group at which the new Minister for Agriculture and Rural Development was present. They had an opportunity to give Council's views on PPS14. However, it was made clear that CNCC was a statutory advisor to the DOE and although its main role was to advise the Minister for the Environment, its position on PPS14 was already in the public domain. In view of the outcomes of these meetings and the contentious nature of this countryside policy, the Chairman felt that it was important for Council to restate its views on PPS14. She felt that any such statement issued should include, not only the Minister of the Environment, but the Ministers for DRD and DARD and the Chairs of the Assembly Committees. She tabled a draft letter to be sent to the Minister and the others outlining Council's position on PPS14.

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Given that the CNCC was a statutory advisor to the Department there was some discussion about the protocols of how it should communicate its views to other Ministers and government departments. The view of the PEPG was that in the first instance the letter should be sent to the Minister for the Environment, who would then pass Council's views to the other appropriate Ministers and Chairs of Assembly Committees. Members pointed out that originally Council's statutory role was covered by one Department but with the introduction of devolved government its role became fragmented with some areas falling under the responsibility of other Departments. This situation had never been addressed by Government. The view was that CNCC should be able to discuss appropriate issues with other departments provided the DOE Minister is not unsighted about the issues. Council agreed that a letter should be sent to the OFMDFM requesting that this anomaly be rectified. In the case of PPS14 Council agreed that it should write to the Minister in the first instance and then after 5 working days it would write to the other Ministers and Chairs of Committees. This should enable the DOE Minister to be informed of Council's views before circulation to others. It was further agreed that the letter should also be sent to the Minister for Social Development. Some members took the view that this was an opportunity to make Council's position known publicly again and suggested that in addition to any press statement on the matter, Council should seek to have media interviews.

Mr Irwin undertook to review Council's current agreement on its approach to other departments and consider and update the protocol on how Council should engage with other departments and Assembly Committees.

Council agreed the content of the draft letter to the Minister with a number of amendments.

ACTION:	Write to Minister and then others	Chairman
	Review current protocol for dealing with other government departments	Mr Irwin

3.2 Reducing Paper

It was agreed that in future minutes of other bodies with representation from Council should be circulated by E-mail.

3.3 Partnership Against Wildlife Crime(PAW-NI)

The Chairman reported that she attended the recent launch of PAW-NI which includes a wildlife crime officer employed by PSNI. Members agreed that CNCC should support this initiative and become a member of the partnership.

Members nominated Mr McBride as the CNCC representative.

4. PRESENTATION ON THE RE-INTRODUCTION OF THE RED KITE TO NI

Mr J Furphy declared an interest and took no further part in this item.

Dr Robinson, RSPB gave a presentation on the re-introduction of the Red Kite to Northern Ireland. He outlined the aims and objectives, historic range, reasons for original decline, progress elsewhere, consultation, harmful effects on donor stock, other species and habitats, EHS objectives, chances of success, funding and project plan.

Members sought clarification on some of the issues such as the decline of the Red Kite in Europe, deforestation, genetic bottlenecks, food provision and an education and awareness programme.

The Chairman thanked Dr Robinson for his presentation. Dr Robinson left the meeting.

Mr Seymour introduced the EHS paper outlining the major issues to be considered in the re- introduction of the Red Kite. He emphasised that this was a high profile issue and there could be some opposition to this proposal from other bodies. EHS is concerned that the evidence on the native status of the Red Kite is considered to be inconclusive. There was some doubt that the evidence would stand up to scrutiny in a court of law. The situation in GB was different in that historical evidence was substantial and beyond doubt.

In discussion the following points emerged :

- It was noted that funding for the re-introduction proposals would not be taken from the existing budgets of EHS. Mr Seymour pointed out that this was more of a technical issue rather than monetary and involves the question of licensing. However, this will not preclude RSPB from applying for funds from EHS.
- The question of food resources was highlighted. Members noted the lack of voles and moles in the food chain within Northern Ireland. However, members felt that voles were only a small part of the Red Kite diet. In the case of rabbits and small passerines they believed that these species were not under threat. The only bird Red Kite tends to eat is the juvenile starling. The Irish Hare was mainly a nocturnal species and was not therefore considered to be under threat. However, if the species is re-introduced it was important for EHS to monitor the impacts on the Irish Hare on a regular basis.
- If it was considered that the evidence could not substantiate the previous existence of the Red Kite in NI there was a case for introducing this raptor rather than accepting the argument for re-introduction. It was pointed out, however, that this would not conform to the guidelines for translocation of species into Northern Ireland endorsed by Council at its meeting in March 2007.
- Although the scientific evidence was uncertain this did not necessarily mean that the Red Kite had been absent from Northern Ireland. Consideration should be given to the balance of possibilities that it did exist in NI given that there was evidence pointing to its existence in the Rol. It had to be recognised though that the archaeological evidence of the Red Kite bones found near Dublin did not necessarily mean that it had bred in the Rol.
- Council was urged to bear in mind the lessons of the re-introduction of the Golden Eagle to county Donegal.
- The point was made that the re-introduction would have a positive impact on rural regeneration with a spin-off for stimulating the economy through tourism.

Council recommended that, on the grounds of probability that the Red Kite had once bred within the territory of Northern Ireland, it would support the RSPB's proposals for its re-introduction. This would be consistent with EHS plans for conserving and promoting biodiversity.

5. UK SPA REVIEW – IMPLICATIONS OF FULL IMPLEMENTATION

Mr Enlander introduced the EHS paper on the UK SPA Review. He explained that this review updates the assessment of SPAs and represents a substantive UK response to the EU Birds Directive. He outlined the EHS response to the review and informed members that this involved re-evaluating some SPAs and re-notifying others. In all 11 sites require no further action because the existing citations comply with the Directive. Three sites, Carlingford Lough, Larne Lough and Strangford Lough will be progressed following the Review findings and Lough Foyle and Lough Neagh will be progressed but with modifications to the Review findings. In the case of Belfast Lough it is not proposed to take any action.

Members noted that the changes to the SPAs as a result of the Review were in many instances due to external factors. For example, the decline in numbers of Bewick's Swan within Northern Ireland. A point was raised about the legality of changes to the citations and members were informed that this can be undertaken provided they were amendments and not re-designations; this meets the requirements of the Directive.

Council endorsed the EHS paper and its recommendations.

6. ASSI PROPOSALS

Mr Corbett gave a presentation on the ASSI proposals. He outlined the various features and conservation objectives of each site.

Members considered the proposals and made the point that in the case of managing grazing regimes DARD was currently reviewing its LFA policy. They suggested that it might be useful for EHS to discuss this with DARD.

Council endorsed the EHS proposals for the designation of Dunnaree Hill, Kirlish Wood, Sloughan and Willmount Glens and Glen West as ASSIs.

Sheeplands ASSI

Mr Corbett tabled a proposal for designating the Sheepland Coast as an ASSI. He informed members that this earth science and biological site was under threat and in order to progress the designation quickly, EHS had drawn up a provisional boundary and citation but had still to complete the conservation objectives.

Members recognised the potential damage to the site from piecemeal development. This was an important site supporting several species rich communities and invertebrates. It was also considered to be of archaeological importance. Council suggested that the neighbouring Gunn's Island should also be considered for protection.

It was recognised that with the resulting designation there could be a problem of access for the local community if land owners decide to restrict access.

Council endorsed the EHS proposal to progress the ASSI designation and agreed to delegate functions to the Ecosystems Group if deemed necessary during the designation procedure.

Council congratulated EHS on its timely intervention to protect the site.

7. PRESENTATION ON THE FABER MAUNSELL REPORT ON WOODLANDS

Mr Weyl introduced the paper on Ancient Woodlands and explained that EHS had commissioned Faber Maunsell to undertake this exercise on behalf of the Native Woodlands Group. Mr B Sutton, Faber Maunsell, gave a presentation on the Report and its findings. He outlined some of the key aspects of the Report such as the threats to and impacts on ancient woodlands. He then highlighted some of the recommendations in the areas of felling licences, TPOs, PPS2, and forest strategy.

The Chairman thanked Mr Sutton for his presentation. She pointed out that Council had asked for this presentation to demonstrate that there were other policies which could offer protection to habitats outside designated areas. Council recognised that the Department's resources were finite and that all avenues of protection should be examined before designating sites. It was noted that in the case of TPOs there were a number of loopholes in the legislation and it might therefore be worthwhile introducing a new designation of woodland protection order.

It was agreed that the Ecosystems Group should review the recommendations of the Report.

ACTION: Review recommendations Ecosystems Group

8. REPORT FROM WORKING GROUPS

8.1 Marine Group

Dr Brown reported that the Marine Group met on the 2nd April, and discussed a number of items as follows:

- The Marine Bill
- Recent prosecutions by the Fisheries Division
- The tidal turbine and the possible impacts on the ecology of Strangford Lough
- The Group also considered the current position on the Modiolus restoration. CNCC had received an invitation to the first meeting of the Restoration Group to be held on the 21st May. It was noted that DFP had agreed the EHS business plan for the restoration and the tendering process will be implemented soon.

A question was raised about the status of marine nature conservation under devolved government. It was agreed that clarification should be sought on this from PEPG.

ACTION: Clarify status of MNC from PEPG Chairman

8.2 Planning Group

- Mr Jackson reported that the Planning Group had a presentation on the amendments to the Sperrins AONB. The Group had no objections

to most of the proposed changes but were concerned about two areas i.e the Creggan region and the western boundary near Bessie Bell.

It was agreed that as the Chairman and Mr Hill lived in the Sperrins area that they would contact Ms S Howie, EHS to discuss these two areas.

- Mr Jackson reported that a final draft of PPS18 had been drawn up for the PS Stakeholder Group. The draft is to include landscape character areas. The question was raised about the inclusion of SEA in the policy and Ms Hamilton informed Council that a decision was still to be made on this.

8.3 Ecosystems Group

Mr Cregg tabled draft minutes of the Ecosystems Group held on the 1st May. He highlighted some of the issues and specifically drew the attention of members to the item on the Lough Neagh and Lough Beg Ramsar site.

Council endorsed the recommendations of the Group on the Ramsar site and noted that the boundary of the site would not change. Council also recommended that EHS should ensure that other departments are made aware of their responsibilities under the Ramsar Convention.

9. MEMBERS REPORTS

9.1 Antrim Coast and Glens AONB

Mr Simpson reported that he attended a recent meeting of the Causeway Coast and Glens Heritage Trust which has issued a consultation paper on the Antrim Coast and Glens AONB Management Plan – Have Your Say! It was agreed that Mr Hill and Mr Simpson prepare a draft response to this consultation paper.

ACTION: Prepare draft response Mr Simpson and Mr Hill

9.2 Lagan Valley Regional Park Advisory Committee (LVRPAC)

Mr McBride reported that he was concerned about the make up of membership of the new limited company. Mr Seymour undertook to consider the balance of membership.

ACTION: Consider balance of LVRP Board Mr Seymour

9.3 Badger Stakeholders Group

Mr McBride informed members that no decision has been made yet on the badger situation. In the meantime DARD has commissioned QUB to undertake a count of badgers across Northern Ireland.

9.4 EHS Peatlands and Uplands Biodiversity Working Group

Mr Hughes reported that there was ongoing work by this Group to develop an implementation plan. It was noted that the peat industry was still giving cause for concern. Ms Hamilton informed members that the revised PPS2 will include a section on peatlands.

9.5 Mournes Working Party

Mr Jackson informed members that the MNPWP is in the process of compiling its report for the Minister on the consultation exercise seeking the public's views on a National Park for the Mournes.

9.6 A26 Ballymena/Ballymoney Road

Mr Simpson reported that this is a road scheme involving the removal of Frosses trees and is currently out to consultation. Council felt that its comments of the 24th January 2005 should still apply.

9.7 Randalstown – Castledawson Road Scheme

The Chairman suggested that given its concerns Council should contact Ferguson and McIlveen, consultants, to discuss the proposals for the Randalstown –Castledawson Road scheme.

ACTION: Contact Ferguson and McIlveen Chairman

10. CNCC WEBSITE

The Secretariat gave a brief presentation on the navigation of the CNCC website and pointed out a number of the current difficulties. Training has been arranged for the Secretariat to maintain and update the site. Members noted the importance of having the site up to date and members were asked to let the Secretariat know of any material they wish to have included on the site.

11. FIELD VISITS – DATES

The field visits for 2007 were identified as follows:

- 11th/12th June - Gortatole Education Centre, Lough Melvin and Glenveagh NP
- 24th July - Sloblands, county Londonderry (agriculture change)
- 22nd August – ASSI features
- 3rd October – Renewable energy theme

A winter field visit of an undeveloped site at Inch, County Donegal is also to be arranged.

12. MATTERS ARISING REPORT FROM 108TH MEETING

12.1 EEAC

The Chairman reported that Dr Ingeborg Niestroy, Secretary General of the EEAC is to visit Council next month and will give a presentation on the role of this advisory body.

12.2 Proposed Mourne NP

The Chairman reported that she, the Deputy Chairman and Mr Jackson met Mr H Bicker, Chairman of the MNPWP on 23rd April, to discuss the forthcoming report on the consultation exercise carried out in relation to the proposed NP.

13. GENERAL INFORMATION

Members noted the contents of the events and publication lists No.97 and consultation responses.

14. ANY OTHER BUSINESS

14.1 Magilligan Management Plan

Members agreed that the MOD should be invited to present its conservation management plan for Magilligan at its next meeting.

ACTION: Invite MOD to make presentation Secretariat

14.2 Biodiversity Conference

Dr Brown informed Council that there is an All Island of Ireland conference on Biodiversity in Athlone on the 2 October 2007. He will forward details to the Chairman.

ACTION: Send details of conference to Chairman Dr Brown

15. DATE OF NEXT MEETING –

The next meeting is to be held on Wednesday, 27th June, in the Magilligan Field Centre.