

COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE
132ND MEETING

AFBI COMPLEX DROMORE ROAD HILLSBOROUGH

14TH MARCH 2011.

Present:

Mr P Casement, Chairman
Mr P Archdale, Deputy Chairman
Mr J Anderson
Dr H Kilpatrick
Mr J Simpson
Mr D Hughes
Dr R Horton
Mr R Northridge

In Attendance

Mr G Seymour NIEA [Items 1-4]
Mr P Corbett NIEA [Items 1-5]
Mr I Enlander NIEA [Items 1-5]
Mr I Raphael DRD [Items 1-4]

Mr R Allen Secretariat
Ms B McCartan Secretariat

1. APOLOGIES.

Apologies were received from Mr J Jackson, Mr A Upton, Dr. T Bazley, Mr M Campbell, Mr J Campbell Prof B Smith and Mr B Black.

2. DECLARATIONS OF INTEREST.

There were no areas of conflict declared.

3. REGIONAL DEVELOPMENT STRATEGY [RDS] 2025.

Mr Raphael from DRD made a presentation to Council on the Regional Development Strategy and the following is a summary of the main points of his presentation:

Background

The revised document will replace the Regional Development Strategy (RDS) that was published in 2001 and amended in 2008. The RDS has a statutory basis. It sets out the framework for the spatial development for the Region up to 2035. The RDS is cross-cutting with linkages to other key government policies and statutory legislation.

Developing a new RDS

An analysis of significant spatial trends was carried out as part of the review process. In Chapter 2 this has been set out under the 3 sustainability headings of Environment, Society and Economy. This analysis explained the trends and new challenges along with the key policy directions in the existing RDS.

The main points from the analysis are:

- The importance of the Metropolitan area centred on Belfast as the driver for regional economic growth; its population has declined but it remains the regional focus for administration, commerce, specialised services and cultural amenities.

- The significant role which Derry has to play as capital of an expanding North West; its recognition as the UK City of Culture 2013 will add impetus to the integrated approach to regeneration being taken forward by ILEX.
- The importance of key centres which are well placed to benefit from and add value to regional economic growth, and that critical mass to attract growth can be created by the identification of clusters of settlements.
- The need to build on the approach to urban renaissance of developing compact urban form by integrating key land uses with transportation measures with a focus on the use of land within existing urban footprints.
- The need for a new emphasis on how to reduce dependence on the car and to change travel behaviour.
- The importance in all aspects of forward planning to address the consequences of climate change which means an even greater focus on where people live and work and how transport and energy needs are planned.

Vision and Aims

In broad terms the Strategy aims to take account of the economic ambitions and needs of the Region, and put in place spatial planning, transport and housing priorities that will support and enable the aspirations of the Region to be met.

The RDS vision is:

“An outward-looking, dynamic and liveable Region with a strong sense of its place in the wider world; a Region of opportunity where people enjoy living and working in a healthy environment which enhances the quality of their lives and where diversity is a source of strength rather than division.”

This is supported by 8 aims:

- Support strong, sustainable growth for the benefit of all parts of the Region.
- Strengthen Belfast as the regional economic driver and Derry as the capital of the North West.
- Support our towns, villages and rural communities to maximise their potential.
- Promote development which improves the health and well-being of communities.
- Improve connectivity to enhance the movement of people, goods, energy and information between places.
- Protect and enhance the environment for its own sake.
- Take actions to reduce our carbon footprint and facilitate adaptation to climate change.
- Strengthen links between north and south, east and west, with Europe and the rest of the world.

The Spatial Framework

A Spatial Framework is developed to enable strategic choices to be made in relation to development and infrastructural

investment. The components of the Framework are:

1. The Metropolitan Area (centred on Belfast)

The Belfast Metropolitan Urban Area (BMUA) is defined as the continuous built up area centred on Belfast with an arc from Jordanstown to Knocknagoney and includes the City of Lisburn, and towns of Bangor, Carrickfergus and Holywood. The BMUA is at the centre of the regional transport network and the major gateway for national and international trade. The capital of the Region is Belfast with a population of 268,000 which has been in decline. The evidence is however that over 50% of those who work in Belfast live outside it.

2. Derry City Hub of the North West

The North West is defined as Derry, Strabane and Limavady, along with the greater part of County Donegal. Derry City is the core settlement and is a key cross-border and international gateway providing access by road, rail, and sea to the North West. Securing a strong and vibrant Derry City is important to the economic and social wellbeing of the North West.

3. Sub-Regional Centres

Sub-Regional Centres which have the greatest potential for growth and which provide a range of services to the surrounding areas are identified. They are Enniskillen, Omagh, Coleraine, Ballymena, Cookstown, Craigavon, Newry, Downpatrick and Newtownards.

4. Clusters of cities and towns

To encourage co-operation clustering of towns is promoted in the framework. The proposed clusters are:

- Coleraine, Ballymoney and Ballycastle
- Cookstown Dungannon and Magherafelt
- Craigavon and Banbridge and possibly Armagh
- Ballymena and Antrim
- Newry and cross border with Dundalk

5. The rural area

The need to sustain rural communities living in smaller towns, villages and the open countryside requires new development and employment opportunities which respect local, social and environmental circumstances. A key consideration is how these communities access services.

6. Gateways and corridors

Gateways are strategically important transport interchanges which are important for economic development, freight distribution activities and additional employment generation. The Gateways are:

- Belfast (including the sea port and George Best City Airport);
- Belfast International Airport;
- Larne;
- Derry (including the sea port and regional airport);
- Newry (including Warrenpoint); and
- Enniskillen.

7. Economic corridors

These have been identified based on the Regional Strategic Transport Network (RSTN). The Economic Corridors connect Belfast and Derry and main centres of economic activity and the external gateways.

The Framework will also provide opportunities which should be taken to work with our nearest neighbours in deciding where development should go.

The Strategic Guidance

Strategic Guidance has been developed to provide long term policy directions to guide the public, private and community sectors. There is no priority order given to the guidance.

1. THE METROPOLITAN AREA CENTRED ON BELFAST

- Promote urban economic development at key locations throughout the BMUA and ensure sufficient land is available for jobs
- Manage the movement of people and goods within the BMUA
- Protect and enhance the quality of the setting of the BMUA and its environmental assets
- Grow the population of the City of Belfast
- Enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities

2. DERRY CITY HUB OF THE NORTH WEST

- Develop a strong North West
- Strengthen the role of Derry as the capital City of the North West
- Protect and enhance the environmental assets of Derry City and the North West

3. SUB-REGIONAL CENTRES

- Promote economic development opportunities at Sub-Regional Centres
- Grow the population in the Sub-Regional Centres

4. CLUSTERS OF CITIES AND TOWNS

- Identify and consolidate the roles and functions of settlements within the clusters
- Use the Hierarchy of Settlements and Related Infrastructure diagram to help to identify the level of appropriate services and facilities

5. THE RURAL AREA

- Sustain rural communities living in smaller settlements and the open countryside

- Improve accessibility for rural communities

6. GATEWAYS AND CORRIDORS

- Strengthen the Gateways for Regional competitiveness

7. ENVIRONMENT

- Reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality
- Manage our waste sustainably
- Conserve, protect and, where possible, enhance our built heritage and our natural environment
- Deliver a sustainable and secure energy supply

8. SOCIETY

- Strengthen community cohesion
- Support urban and rural renaissance
- Manage housing growth to achieve sustainable patterns of residential development

9. ECONOMY

- Ensure adequate supply of land to facilitate sustainable economic growth
- Promote a balanced spread of economic development opportunities across the Region focused on the BMUA, Derry, Sub-Regional Centres and Clusters, as the main centres for employment and services
- Manage the use of road space for the movement of people and goods
- A balanced approach to telecommunications infrastructure that will give a competitive advantage
- Promote a sustainable approach to the provision of tourism infrastructure

The document contains Housing Growth Indications (HGIs) to be used as a guideline for local planning.

Regionally Significant Economic Infrastructure

The RDS provides the flexibility to accommodate unforeseen imaginative proposals for economic development that are clearly in the public interest. The Strategy is intended to be sufficiently flexible to allow the private sector to bring forward original development proposals which are of significance to the whole or substantial part of the North and create employment, wealth and important assets for the Region. Similarly, major economic development proposals which contribute to meeting local needs and provide wider public benefits may also be acceptable. The RDS aims overall to facilitate development projects in tune with the spirit of the Spatial Framework for the Region. Projects that the RDS considers as being of strategic significance would:

- deliver strategic improvements in external and internal communications;
- contribute to the achievement of renewable energy targets;
- contribute to the achievement of waste management and climate change targets; and
- raise issues of more than regional importance.

Implementation

The RDS is the spatial strategy of the Executive. It complements the key objectives of the Programme for Government and seeks to influence it and the Investment Strategy.

Because of the cross-cutting nature of the RDS, implementation will be achieved by a range of stakeholders. To do this successfully a framework has been designed to ensure its implementation through the Executive structures.

The following points were raised in discussion:-

- Housing Growth Indicators – are these up to date, and will the 2011 census figures be used to revise them?
- New roads – these tend to generate traffic by enabling commuting from rural areas. Is this considered sustainable?
- Economic Corridors – how are these defined? They appear to be based simply on existing road infrastructure.
- Public transport, particularly rail, does not seem to be addressed.
- Climate change – has this been taken into account?
- The balance between 'social engineering' and reaction to realities is not very clear.
- The lack of a strategic approach to major developments, such as airports.
- Sustainability – the concept has been devalued by the approach taken.
- 'Rural' – the definition used is not consistent with other Government approaches eg Rural White Paper.
- Agriculture and Forestry are not mentioned.
- The need for a strategic approach to land use.
- The failure to recognise the reality of the structure of rural communities, particularly the prevalence of single dwellings in the countryside.
- No specific mention of AONBs – the original RDS was virtually the only planning document that did refer to them.
- No mention of the marine environment, Marine Planning, the forthcoming Marine Bill, and how they would fit into the planning framework.

The Chairman had already drafted a response which would be edited in the light of this discussion. He stated that any further comments from Council members would be welcome.

Action: Members to forward comments on Strategy Document

MEMBERS

4 REVIEW OF THE ASSI PROGRAMME.

Mr Paul Corbett NIEA presented the following ASSI programme review to Council

1. In 2006, EHS carried out a review of its ASSI programme. The main conclusion was that it could well take another 20-25 years to complete the full ASSI site network. As a result, NIEA produced a priority risk-based list of 200 additional ASSIs for declaration over the next ten years. The objective is to have in place by 2016 an ASSI network that includes the top-quality sites for nature conservation in NI, and an adequate representation of the most vulnerable/threatened habitats, species and earth science features in NI.

2. The main criteria for prioritising sites is conservation significance – judged using the standard ASSI criteria – in combination with an assessment of risk, using both fragility (i.e. the susceptibility of the feature to damage or loss) – and actual threat. On the basis of these criteria, a priority list was drawn up. Given the reduced number of potential ASSIs within the 2016 programme, it is particularly important to ensure that coverage takes in as complete a range of geographical and ecological variation as is possible. Other things being equal therefore, sites which fill geographical or ecological gaps, or which act as important corridors or connections between a series of sites, are of more significance than those which do not.

3. To retain a degree of flexibility in the list – to allow for increases in knowledge, changing priorities and threats – slightly over 200 sites were included.

4. At the time the list was produced, there were 241 ASSIs in NI; the target, therefore, is to achieve a total of around 440 sites declared by 31 December 2016.

5. Declaration and Survey Progress 2007/8 – 2010/11

Sites that have been declared (or are scheduled to be declared before the end of March 2011) are listed in Annex 1. It should be noted that some of these sites did not appear on the original priority list. This is because the list is under continuous review and is updated as new scientific evidence is collected. However, all sites declared during the last three years have been assessed through the ranking system for habitats, species and earth science sites and have been endorsed by CNCC. During 2010-11 and previous years we have surveyed a further number of sites from the Priority List which will go forward for declaration during 2011-12. These are listed in Annex 2.

The original priority list included 22 named “Key Sites”. These include well-known sites where the interests have been well-documented, in addition to other, less familiar sites where the feature(s) of interest are so important that priority listing is clearly merited. Nine of these have now been declared - i.e. Sheepland Coast, Slieveanorra and Croaghan, Mullaghcarn (originally Boorin), Brackagh Bog, Fair Head and Murlough Bay, Tempo River, Castle Coole, Glenarm Part 2 ASSIs and a number of individual ASSIs taking in the

internationally important earth science series at the Ring of Gullion. Additional Key Sites due for declaration in 2011/12 include Lough Navar Scarps and Lakes, Tyrella and Minerstown, Western Mourne and Marlbank.

6. The existing ASSI network includes a high proportion of sites with multiple interests, and many of the sites proposed also have more than one interest feature. However, for the purpose of this exercise, we have assigned existing and proposed ASSIs to one “prime” interest feature. At the end of March 2007, the breakdown of ASSIs was: -

- 41 earth science ASSIs (17%)
- 167 habitat ASSIs (69%)
- 33 species ASSIs (14%).

The fact that habitat sites represent such a high proportion of the network in part reflects previous declaration policy, which has been partially “skewed” by the need to comply with Habitats and Birds Directives. The Priority List has been drawn up to ensure that significant progress should be made in each of the three main elements of the ASSI programme – i.e. earth science, habitat and species features – hence the increased representation of earth science and species sites.

The table below shows a breakdown of the Priority List into major subject area. ASSIs declared in 2007-8, 2008-9, 2009-10 and 2010-11 (declared and projected for the latter) are listed. In addition, a column for projected declarations in 2011-12 is included, based largely upon fieldwork that has been completed this year. It should be noted that the figures in this column are indicative, as there may be some interchange of sites between years.

Priority List		No. of ASSIs Declared				Projected	Total	Remaining
Main Feature	Total	2007-8*	2008-9	2009-10	2010-11	2011-12		
Earth Science	77 (37%)	7	12	10	10	4	43	34
Habitat	84 (41%)	5	12	9	13	10	49	35
Species	45 (22%)	2	1	6	2	1	12	33
TOTAL	206	14	25	25	25	15	104	102

* Lisnaragh rescinded and subsequently re-declared in 2009/10

Progress on sites with earth science and habitat features has been good, and NIEA has recently increased the proportion of sites with species as the prime selection feature.

7. Over the last 4 years, NIEA has declared 89 sites, taking the numbers of ASSIs declared to 330, and encompassing well over 100,000 ha of land (over 7% area of NI). Fifteen sites were declared in the first year (although one was subsequently rescinded). The Programme for Government committed NIEA to a rate of 25 declarations over the 3-year period 2008 to 2010, which was higher than the required annual target of 20 sites per year. Therefore we are currently ahead of schedule.

8. He stated 25 sites per year is particularly challenging – over the ASSI declaration period, this rate has only been achieved twice before. Furthermore, such intensity of effort has repercussions for other areas of work. As discussed previously, NIEA has reduced its monitoring efforts over the last three years to allow more of the field season to be devoted to the survey of new sites.

9. This has been an issue of prioritisation and timetabling. NIEA are still committed to ASSI monitoring, as without it, we have no way of measuring progress on ASSI management. The current programme of monitoring is risk-based – i.e. concentrating on particular sites where NIEA judge - for a variety of reasons - that there may be a risk of serious deterioration in the condition of their features. NIEA hope to resume the full monitoring programme in subsequent years and deal with the backlog of features that has built up, so that we have an up-to-date picture of the condition of all of our ASSI features.

10. As far as species interests are concerned, Mr Corbett advised that a new post was created with specific responsibility for this area of work, and several ASSI proposals/declarations for species (and parkland) have recently gone forward. However, NIEA are finding – not unexpectedly – that many of the sites selected primarily on the grounds of habitats are also of great significance for species interests, and NIEA may need to review the proportion of sites that species make up in the Priority List.

11. Resource cuts in the survey team have had a major impact on progress. The survey team cannot sustain a rate of 25 sites per year 15 new sites per year is more realistic given other demands on the team. It is difficult to predict how the ASSI Programme will develop over the coming years, but it is also clear that a rate of 15 sites per year will not enable the target for 2016 to be achieved.

12. Mr Corbett summarised by stating that NIEA has made steady progress with ASSI survey and declaration since the Priority List was introduced. To date, it has maintained the annual rate of progress required. However, this is no longer the case, and it is difficult to predict how future resource levels will impact upon the Programme in subsequent years. Next year is the mid-point in the current programme and it is believed that it would be an opportune time to complete a full review of both progress and targets.

The Chairman thanked Mr Corbett for his presentation and asked that if possible NIEA bring update on progress to the January 2012 CNCC meeting.

The following points were raised in discussion:-

- The risk-based approach was welcomed
- The problem of not knowing the full extent of the resource, and hence the overall target.
- The need to use other sources of information such as local recorders and Biodiversity Officers.
- The issue of the data held in CEDaR, and ensuring that all recorded data is lodged there.
- The importance of NI Countryside Survey as a monitoring tool, and the concern over future funding for this unique long-term dataset.
- The Convention on Biological Diversity commitment to have 17% of land area protected by 2050.
- The role of agri-environment schemes, particularly NICMS, in managing ASSIs.
- The issue of landscape-scale nature conservation. The ASSI network is a vital base for this, but we need to move on to nature conservation in the wider countryside rather than focus solely on site-based conservation. ASSIs are only one component of a wider network of sites, which includes LNRs, SLNCIs and eNGO reserves.
- The Birds Directive Infraction case – pressure to declare the large Hen Harrier SPAs (Slieve Beagh and Antrim Hills) as ASSI.

5.ASSI PROPOSAL –MARLBANK FERMANAGH.

Mr Corbett and Mr Enlander gave a joint presentation on the Marlbank ASSI proposal.

The area is of special scientific interest because of the diversity of geological and physiographical features and the wide range of habitats with associated flora and fauna. Geological interest relates to a notable series of outcrops of the Carboniferous rocks of the area while the geomorphological interest provided by the range of surface karst features and the cave systems which are of national importance. Biological interest relates to the size, quality and diversity of the habitats in addition to the presence of particular plant and animal species of note. The ASSI extends from the Cladagh River in the north to the lower slopes of Cuilcagh Mountain in the south, and from Legalough in the west to Florence Court forest in the east. Marlbank is one of the most important and diverse areas of semi-natural vegetation in Northern Ireland. It encompasses a series of upland plateau and escarpments with cliffs, scarps, ridges and intervening slopes. This varied landscape supports a unique range of habitats including woodlands, wetlands, grasslands, peatlands and rivers.

Council strongly welcomed the proposal but expressed some concerns about the following points;

- The landowners and their familiarity with the ASSI process. *All landowners have been identified. Many are familiar with ASSI designation through the neighbouring Cuilcagh ASSI.*
- Notifiable operations and how they fit with established agricultural practices – they could be seen as over-prescriptive.
- Undergrazing. *This is not seen as a problem at present, but could become an issue.*
- The presence of salmon and crayfish in the river should be included in the description, probably as a feature.
- Linkages between the various contiguous ASSIs and Nature Reserves in this area. This provides an opportunity for a landscape scale approach.
- References to water abstraction, conifer removal and goats need to be set more clearly in context.

Council agreed to endorse the proposal to designate the area as an ASSI.

The Chairman thanked Mr Corbett and Mr Enlander for their presentation.

6. MINUTES OF 131st MEETING HELD ON 14th JANUARY 2011.

The minutes of the 131st meeting were agreed and signed subject to the inclusion of Mr James Simpson in the present column.

7. MATTERS ARISING

7.1 Natural Heritage Vision and Strategic Plan

The document is now complete and is being printed internally. Copies will be given to CNCC as soon as they are available.

7.2 Restoration of *Modiolus* on Strangford Lough

It was reported that there was a potential infraction on Strangford Lough and that a letter had been sent via DEFRA to the Commission accompanied by the Article 6 assessment, DARD regulations prohibiting pot fishing in two areas and the code of practice for pot fishing which would extend over a wider area.

The final report from Queens University survey team will also be sent to the Commission when complete.

Council again expressed concern about the extensive intertidal harvesting which is taking place and that Council has highlighted to NIEA and DARD. This matter remains on the Marine Working Group agenda.

Council are also concerned that there are no management plans for marine SACs.

This matter will also be raised at the next meeting of the JNCC Marine Protected Areas sub-group.

7.3 CNCC 8th Report.

The Chairman advised that he has produced a framework for the report which he will send to members and he would welcome comments. He also stated that he is dedicating the report to Brian Murphy.

7.4 Draft Budget Proposals.

The Chairman advised that a response was forwarded on this matter.

7.5 *Phytophthora* outbreak.

The Chairman reported that he had written to Forest Service regarding this matter and the reply had been circulated to members. FS intend to hold a further meeting of the Stakeholder Group in the spring.

7.6 Decline of the Common Seal Population on Strangford Lough.

The Chairman advised that NIEA are compiling a report on this matter which should be available at the next meeting.

Action: NIEA to compile report and bring to next Council meeting.

NIEA

7.7 Gangmasters Licensing.

The Chairman advised that there is a sole person dealing with the licensing of gangmasters, who is following activity closely and preparing to take action on unlicensed activity.

8. CHAIRMANS BUSINESS.

The Chairman reported that the SAC Chairmen had held two meetings recently with John McMillen of NIEA and his senior management team.

The Secretariat will become the responsibility of NIEA at the beginning of April and is expected to re-locate to Hill Street in the near future.

He also advised members that the review of the Statutory Advisory Councils [SACs] will be going to public consultation.

The Chairman advised members that he had been re-appointed for a further term of three years.

9. STATE OF THE SEAS REPORT.

The Chairman is to forward a formal response from Council.

Action: Forward response on behalf of Council.

CHAIRMAN.

10. CNCC WORK PROGRAMME.

Details of the forthcoming work programme was distributed to members. The Chairman stated that he would respond to PPS23 planning consultation and that he is preparing a response to PPS 24 having consulted widely with eNGOs to ensure a common approach.

11. REVIEW OF DOCUMENTS ON STRANGFORD LOUGH INFRACTION.

This item was dealt with under matters arising.

12. CNCC WORKING GROUP REPORTS.

The Planning Group had met to discuss a number of consultations.

Minutes of the Access Working were distributed..

13. MEMBERS REPORTS.

Mr Hughes reported that he attended the recent meeting of the Lagan Valley Regional Park Management Board as the new CNCC representative. The Chairman thanked him for taking on this role.

14. GENERAL INFORMATION.

14.1 Events List.

Details were distributed.

14.2 Consultations completed.

Details were circulated.

15. ANY OTHER BUSINESS.

15.1 Sheeplands ASSI

Mr.Hughes reported that the hedge that had been planted with non-native species had now been removed.

15.2 Planning Application at Runkerry.

The Chairman advised Council that a revised planning application has been submitted for a golf course, hotel and housing at Runkerry on the outskirts of Bushmills.

This application which lies in a protective zone around the Giant's Causeway World Heritage Site has the backing of the local council, and the Tourist Board but many others, including the National Trust, would argue that it compromises the World Heritage site.

The Chairman advised members that he and Prof. Smith would prepare an objection on behalf of Council.

Action: Prepare objection letter.

CHAIRMAN

15.3 Natural Heritage Grants Scheme.

The Chairman to provide an update for the next meeting

Action: Provide update on grants scheme

CHAIRMAN

15.4 Wild Birds Directive

The Chairman stated that Environment Committee was gathering evidence about a number of infractions and was particularly interested in the Wild Birds Directive case which specifically mentions Northern Ireland with respect to perceived inadequate protection of the Hen Harrier SPAs at Slieve Beagh and Antrim Hills. These have not been designated as ASSIs, but the commission does not regard the management and protection offered by Agri-environment schemes as sufficient. The Chairman and Deputy Chairman will prepare a response for the Environment Committee.

Action: Issue Response to Environment Committee

CHAIRMAN/DEPUTY CHAIRMAN

16. DATE OF NEXT MEETING.

The next meeting will be held on 9th May 2011.

The venue is to be confirmed.

The Chairman thanked members for their attendance.