

Minutes of the forty-first meeting of the Lower Bann Advisory Committee held on Thursday 9th March 2006 at 10.00am in Sperrin House, Magherafelt.

Present

Mr Victor Hamill (Chairman)
Cllr Mrs Olive Church
Mr Denzyl Dinsmore
Mr Nick Mack
Cllr Malachy McCamphill
Cllr Ian Milne
Mr Edward Montgomery
Alderman H Nicholl
Cllr Seamus O'Neill
Alderman James Simpson
Mr Rob Skelly
Mr James Smyth
Mr Richard Thompson
Mr Jack Gault
Mr Gregory Woulahan

In attendance

Ms Kathleen Conlon (DCAL)
Mr Stephen Douglas (Waterways Ireland)
Mr Terry Eakin (EHS)
Miss Rachel Forde (Administration Officer)
Ms Sandi Howie (EHS)
Ms Caroline Marshall (Liaison Officer)

1 Apologies

Apologies were received from Mr Robert Anderson, Commander Peter Campbell, Mr Mike Kingston, Mr John Moore, Mr Robin Ruddock, Cllr R D Stewart and Prof Dave Wilcock (replaced by James Simpson who was present at the meeting).

2 Chairman's Business

- a. Members were informed that Rachel Forde was now employed as the Administrative Officer for the Lough Neagh and Lower Bann Advisory Committees, covering Joanne McMullan who was off on maternity leave. The Chairman welcomed Rachel.
- b. Mr Hamill thanked Dave Wilcock from CNCC for his input into the work of the Advisory Committee and welcomed James Simpson as his replacement.
- c. It was reported that the joint water quality meeting had taken place in Antrim. In general members were satisfied with the strategic work being done by Water Service in relation to waste water treatment and water abstraction and treatment. Members were informed that the LNAC had looked at the planning applications in relation to the upgrading of water abstraction works on Lough and had lodged comments.

3 Binevenagh AONB – Presentation by Sandi Howie

Sandi Howie from the Environment & Heritage Service gave a PowerPoint presentation on the designation of Binevenagh Area of Outstanding Natural Beauty which is to encompass the Lower Bann Estuary. She highlighted the following in her presentation:

- a. EHS is working with the Causeway Coast and Glens Heritage Trust who is trying to promote the area for visitors.
- b. Designation did not add another layer of planning regulation and neither did it have an associated amount of cash for management.
- c. The establishment of a 'management forum' would bring significant strategic benefits, even without the cash allocation.
- d. A Management Plan for the AONB would be produced, but this would be a non-statutory document.
- e. The coastal boundary would remain undefined, as HWM and LWM were thought to be too restrictive.
- f. CCGHT would be establishing a Management Forum that would subsequently commission consultants to prepare the Management Plan.

The following issues were highlighted during discussion:

1. There was unanimous support for the inclusion of the Estuary in the AONB,
2. There would be merit in extending the boundary upstream to the south to a physical barrier such as The Cutts or the railway bridge. Members felt that extension to the Cutts would involve the inclusion of non-natural landscape features and was therefore not appropriate, however marking the boundary with a physical feature was thought to be appropriate.
3. AONB designation might not come with a pot of 'management' money, but designation itself would act as an attractor for various grants and funding opportunities.
4. Coleraine Harbour Commissioners had not been consulted.
5. AONB designation should not stifle appropriate development.
6. The proposed extensions of the boundary to the east and west of the Estuary are valid and logic needs to be applied in setting boundaries as well as strict rules about habit quality. AONB designation is about landscape and visual quality as much as habitat type. People must have sufficient visual access to the AONB.
7. The composition of the management body was important. Sandi agreed to report back on the structure and selection process for appointing members.

Members were informed that comments on the importance of the railway, beaches, navigable waters and inclusion of the mott and ballie structure had been received. Members agreed that the draft LBAC comments should be reviewed in the light of this discussion and the additional comments and forwarded to EHS.

ACTION 68: Information on the appointment of members to the AONB Management Forum to be relayed to members.

ACTION 69: Comments on AONB Consultation document to be reviewed and forwarded to EHS.

Sandi was thanked for her presentation and valuable input to the discussion.

4 Minutes of last meeting - 15th December 2005

The minutes were agreed as a true record.

5 Matters arising from last meeting

The following matters were considered:

a. Water Level Management & Hydrology Study

Members were informed that presentation would be given by Rivers Agency and the consultants who have prepared the hydrological study. A joint meeting will be held for LNAC, LBAC and the Management Committee. Members will be advised of the date and location as soon as possible.

ACTION 70: Water levels management seminar to be finalised and members to be advised of the date and location of the joint water levels meeting.

b. Fallen Animal Issue

The reply from Dr Harry Gracey, DARD was read out. The letter highlighted the recent legislation (Animal By-products Regs and National Fallen Stock Scheme) brought in to deal with fallen stock and stated that Rivers Agency was the responsible agency in terms of removal of fallen animals if causing significant obstruction to drainage. The letter also stated that 'Ultimately it is the responsibility of the Environmental Health Department at your local council to deal with such matters' (removal). Mr Douglas also stated that it was his understanding that local authorities would remove carcasses. Mr Thompson stated that, given the stringent registration, movement and disposal legislation, he found it hard to believe that tag-less cattle were still found in the river. He indicated that the situation was not as strict for sheep. During discussion, members agreed that the letter should be copied to each member and that local authorities should be made aware of DARD's understanding of the issue.

ACTION 71: DARD's letter regarding responsibility for the removal of fallen stock to be copied to members.

ACTION 72: DARD's letter regarding responsibility for the removal of fallen stock to be copied to local authorities with a letter highlighting the background.

The issue of a number of dead sheep downstream of Newferry was highlighted. Cllr O'Neill agreed to look into this issue.

c. Dredging Issue

This issue was mentioned briefly at the last LBAC. By way of update, Caroline highlighted that Waterways Ireland has drafted a report to be lodged with EHS in the very near future. It highlights the issues and needs in terms of the whole River dredging requirement and seeks approval for short and long term solutions. Mr Douglas indicated that WI had plans to dredge The Cutts in time for this season, but highlighted that these plans have been put on hold until the autumn to facilitate elver movement. Members expressed their concern that there would be

no dredging for the forthcoming season. After discussion, it was recommended that WI should produce a map indicating water drafts along the River, and highlighting areas of particular concern, to facilitate boat movement in the interim. It was highlighted that it would be useful to have this information on WI's website. Dredging at Drumaheglis and disposal of dredged spoil were also discussed.

ACTION 73: Letter to be sent to Waterways Ireland recommending the need for information on water drafts in the absence of a full dredging programme.

d. ICZM Comments

Members were informed that comments had been drafted and lodged.

e. Water Based Craft at Drumhaglis

Members were informed that Caroline had met with Mr John Michael of Ballymoney Borough Council, who had taken over responsibility for management at Drumaheglis Marina. They discussed River issues, including the health and safety and management issues at the marina and Mr Michael indicated that he intends to meet with WI staff and then call a joint meeting to discuss options. During discussion, the following issues were raised:

1. it would be extremely important that any new staff are aware of the management regime and health and safety requirements,
2. boats are still operating when staff have gone home,
3. WI's byelaws are almost ready for consultation,
4. Councillors have not been made aware of health and safety issues and
5. There were over 40 trailers on one busy Saturday in 2005.

Members welcomed the joint meeting approach and applauded Ballymoney Borough Council's willingness to discuss and address the issue.

f. WFD – Significant Water Management Issues

Members were informed that their comments had been forwarded and that a report would be produced towards the end of 2007.

g. Zebra Mussels

It was highlighted that clusters of zebra mussels had been found in the south and north of Lough Neagh, by sampling sections of rope, but that the Lower Bann had not been sampled yet. It was highlighted that zebra mussels would be unlikely to settle in fast flowing water sections of the Lower Bann, but that they would probably colonise other areas, including canals and marinas. Members indicated that there should be a more scientific approach to the zebra mussel spread and impact issue in the system and requested further details of the approach adopted by the Zebra Mussel Control Group.

ACTION 74: Zebra Mussel Control Group to be asked for details of its approach to controlling and monitoring the zebra mussel issue in the system.

h. Letter Received from Rev O P Kennedy (6th March 2006)

A letter dated 6th March received for Rev. Kennedy was tabled. In his letter, Rev. Kennedy highlighted that the LBAC had no remit to discuss eels, objected to the LBAC's involvement in any aspect of the eel management plan discussion, objected to the establishment of an eel forum and highlighted that the refusal to grant aid the purchase of elvers was 'inexplicable and indefensible'. The following issues were raised during open discussion:

- A letter of support for the work of the Co-op should be sent,
- Whilst, at the last meeting, there was a recommendation that there should be opportunities for discussion between organisations with interests in eels, it was unlikely that the term 'eel forum' was used,
- Information within the Draft Eel Management Plan would contain 'commercially sensitive' information in which the LBAC would have no interest or desire to see, but the management recommendations would be of interest,
- Meetings with input from Bann System and the Co-op were welcomed.

ACTION 75: Letter to be sent from Chairman to Rev. Kennedy addressing his concerns and offering support for the work of the Co-op.

6. Liaison Officer's Report – December 2006

a. Hutchinson's Quay Chalet Development – Update

Members were informed that the holiday chalet accommodation project had been granted planning permission and was now up for sale by private auction. During discussion, members expressed divergent views on the granting of permission, but it was highlighted that the LBAC's focus should only be on the impact on the River and its associated features. Members requested feed back on the sale of the property and information on the inclusion or not of the LBAC's previous recommendations lodged with the planners.

ACTION 76: Information on the details of the planning permission granted for the development at Hutchinson's Quay to be sourced.

Cllr Milne and Cllr O'Neill left the meeting.

b. Lower Bann Partnership – Update & LBAC Projects

The following was discussed:

- i. The office had been set up in Bellaghy and Jennifer Fulton and Imelda Warnes were employed as Fund Manager and Administrator respectively,
- ii. At present there are five LBAC directors on the Board. Robin Ruddock intends to stand down as a director, due to other commitments. Members

agreed that Denzyl Dinsmore should represent the LBAC as its environmental director. Robin was thanked for his contribution.

- iii. The submission of applications from the LBAC to the LBP's Fund was agreed for Biodiversity Action Plan, River Bank Enhancement, History of Local Industry, Photographic Record of the River (to include habitat information), Baseline Data Collection, LB Sustainable Management Strategy and Water Based Recreation leaflet and
- iv. The LBP would be officially launched on the 27th June 2006.

c. Emergency River Access Protocol

It was reported that a new base has been set up by the Maritime & Coastguard Agency in Coleraine and that the Safety & Navigation Working Group would be holding a meeting to seek clarity of roles and to comment on safety procedures on the River in the light of the new set up. Members were reminded to spread word of the safety protocol of **dial 999 and ask for Coastguard**.

d. DARD Rural Strategy – Consultation Document

Caroline gave a brief report on her initial thoughts on this consultation document. Members agreed that the comments should be forwarded with the inclusion of the of additional comments on the need to simplify and speed up methods for getting EU funding on the ground, for inter-departmental discussions, for adequate mainstream funding and for less emphasis on religious and political differences.

ACTION 77: Comments to be updated and forwarded on the DARD Rural Strategy – Consultation Document.

7. Any Other Business

Members were informed of the following:

- a. Northern Ireland Tourist Board, Services, Conference - 21st March 2006,
- b. Integrated Water Management held in Greenmount Campus, Antrim - 22nd March 2006 and
- c. A conference on Tourism on the Lower Bann to take place at The Cranagh, on 21st April 2006.

8. Date and Venue of Next Meeting

It was agreed that the next meeting should take place on Thursday, 8th June 2006 at Portneal Lodge.

Lbac/meet/mins/41-060306

Actions from Lower Bann Advisory Committee meeting held on 9th March 2006.

Action	
68.	Information on the appointment of members to the AONB Management Forum to be relayed to members.
69.	Comments on AONB Consultation document to be reviewed and forwarded to EHS.
70.	Water levels management seminar to be finalised and members to be advised of the date and location of the joint water levels meeting.
71.	DARD's letter regarding responsibility for the removal of fallen stock to be copied to members.
72.	DARD's letter regarding responsibility for the removal of fallen stock to be copied to local authorities with a letter highlighting the background.
73.	Letter to be sent to Waterways Ireland recommending the need for information on water drafts in the absence of a full dredging programme.
74.	Zebra Mussel Control Group to be asked for details of its approach to controlling and monitoring the zebra mussel issue in the system.
75.	Letter to be sent from Chairman to Rev. Kennedy addressing his concerns and offering support for the work of the Co-op.
76.	Information on the details of the planning permission granted for the development at Hutchinson's Quay to be sourced.
77.	Comments to be updated and forwarded on the DARD Rural Strategy – Consultation Document.