

Minutes of the fortieth meeting of the Lower Bann Advisory Committee held on Thursday 15th December 2005 at 10.00am in Sperrin House, Magherafelt.

Present

Commander Peter Campbell (Acting Chair)
Mr Denzyl Dinsmore
Cllr James O'Neill
Cllr Mrs Olive Church
Mr James Smith
Prof Dave Wilcock
Mr Robert Anderson
Mr John Moore
Mr Mike Kingston
Alderman Samuel Hanna
Mr Rob Skelly
Mr Robin Ruddock

In attendance

Mr Stephen Douglas (Waterways Ireland)
Mr Terry Eakin (EHS)
Ms Kathleen Conlon (DCAL)
Ms Caroline Marshall (Liaison Officer)

Election of the Chairman

In the absence of Mr Victor Hamill, Cllr O'Neill proposed and Cllr Church seconded that Commander Peter Campbell should take the Chair. This was agreed by the members and Commander Campbell chaired the meeting.

1. Apologies

Apologies were received from Mr Victor Hamill, Mr Richard Thompson, Cllr Malachy McCamphill, Mr Edward Montgomery, Mr Jack Gault, Mr Gregory Woulahan, Cllr Ian Milne, Mr Alan Foye, Cllr R D Stewart, Mr David Agnew, Mr Nick Mack and Reverend Kennedy.

2. Chairman's Remarks

Members were informed of the recent death of Mr Newell McCreight. The Chairman paid tribute to his dedication and significant input to the work of both Advisory Committees and highlighted that his passing would be a great loss. A minute's silence was held in his honour.

3. Minutes of last meeting – 15th September 2005

Adoption of the minutes was proposed by Mr Jim Smyth, seconded by Cllr Church and agreed by the meeting.

4. Matters arising from last meeting

Members' attention was drawn to the Liaison Officer's Report – December 2005 for update on relevant issues. Consideration was given to the following matters from the previous meeting:

a. Water Quality

Members were informed that EHS had not yet set a discharge standard for Drumahiskey WWTW and therefore Water Service could not record as to whether the standard had been met.

b. Joint Advisory Committee meeting

Members were informed that the 12th January 2006 had been highlighted for the joint Advisory Committee meeting focusing on Water Quality, that this meeting would most likely take place in Antrim Civic Centre in the morning and that Water Services CEO would provide an overview with presentations on Waste Water Treatment Works upgrades, Abstraction proposals etc.

Members were informed that a meeting had taken place between Mr. Hamill, Prof Wood, Caroline Marshall and Mr Henry Thompson of Rivers Agency. Mr Thompson highlighted that a hydrological modeling study was being carried out on the river basin and that RA felt that it would be timelier to present to the Committee when modeling work was complete, rather than giving an overview of water level management at the joint meeting in January. Members expressed their disappointment and, as water abstraction and water level management were linked, agreed that Rivers Agency should be asked to review their decision. In the absence of an overview from Rivers Agency, it was agreed that a presentation on water level management and the results of the water level modeling should be scheduled as and when appropriate.

ACTION 51: Rivers Agency to be approached with a view to revising its decision not to make a presentation at the joint LB/LNAC seminar in January 2006.

ACTION 52: Presentation to be arranged on water level management and recommendations of the hydrological modeling study.

c. Fallen Animals

Members were informed that there was no reply from DARD in relation to the letter sent from the LBAC requesting information. Reviewing the situation, members surmised that if the animal was blocking a drainage course or navigation channel, it was the responsibility of Rivers Agency or Waterways Ireland respectively to remove the carcass. Members agreed that DARD should be pushed for a response on responsibility/action when a carcass is in the River and as this is an cross- Department issue that it should be placed on the agenda of the Inter-Departmental Committee and that it should be raised at the LN/LB Management Committee. The Inter-Departmental and Management Committees should be asked to discuss and highlight an acceptable solution which could involve setting up a dedicated contingency fund to cover carcass removal.

ACTION 53: Letter to DARD regarding solution to removal fallen animals in water courses should be followed up.

ACTION 54: Letter to be sent to Inter-Departmental Committee requesting that a the issue of fallen animals in water courses be discussed and an acceptable solution highlighted and the means found for implementation.

ACTION 55: Management Committee to give consideration to the fallen animal issue.

d. Hutchinson's Quay

Members were informed that planning permission had not been granted for the holiday accommodation at Hutchinson's Quay. Planning Service did recommend that permission be granted, but this was not passed by Magherafelt District Council. The Council has requested additional information and a presentation from the developer.

e. Estuary Water Ski Zone

Mr Rob Skelly informed members that he objected strongly to any retraction of the estuary water ski zone. Any such retraction would put undue pressure on the other zones which already operation to capacity at peak times. Members agreed that the River zones should be reviewed in their entirety.

f. Navigation Markers at Cutts

Mr Douglas informed members that Waterways Ireland has erected markers highlighting the navigation arch on the Sandleford Bridge and has plans to upgrade the navigation bank signage and dredge at the approach to the Cutts. Members highlighted that the dredging of specific sites on the River was an extremely important issue and agreed that it should be placed on a future agenda.

ACTION 56: Dredging of the River to be placed on a future agenda.

g. Camus Jetty

Following a brief discussion on the future development plans for Camus land and water based recreation site, members agreed that letters should be written to Waterways Ireland and Coleriane Borough Council to highlight the important and strategic nature of the site and the need for sensitivity when considering any future development.

ACTION 57: Letters to be written to WI and CBC highlighting the need for sensitivity when considering the future plans for the Camus.

h. EHS Funding Programme

Members were informed that EHS's grants programme would be reconsidered in January with a view to reopening as soon as possible thereafter.

5. Liaison Officer's Report - December 2005

a. Water Abstraction (Item 4)

Members were informed that several meetings had taken place between a representative of Water Service and the working group. Issues discussed included:

- The need for water to be valued and conserved,
- the need for individual planning applications for the works at the abstraction plants at Castor Bay and Moyola,
- the need for max instant, daily and annual flows to be set,
- the welcome for lower abstraction levels than that for which rights are available,
- the need for environmental, not just 'economic' issues to be considered when setting economic leakage levels,
- the possibility of impounding water for times of drought and,
- the need for isolation of sensitive ecological systems such as Portmore Lough,

Members referred to articles in the press highlighting that twice the amount of water would be abstracted. Whilst this could be an acceptable interpretation on particular days, members were assured that this proposal was not to take two times the volume of water currently allowed from the Lough, but to spatially redistribute and utilize already agreed abstraction rights. Members were informed that the working group was satisfied that the abstraction proposals would have no significant detrimental impacts on the ecology and management of the Lough and Lower Bann.

b. Lower Bann Partnership Update (Item 18)

Members were informed that the project and administration funding for the LBP had now been secured from DARD and the riparian councils, that two staff had been employed and an office in Bellaghy secured, that projects were being refined and that additional funding sources were being targeted. Members were made aware that LBAC was highlighted as the delivery organisation for a number of projects including the preparation of a Biodiversity Action Plan and a Sustainable Development Strategy. Formal applications would be lodged for these projects.

c. Towards Integrated Coastal Zone Management (Item 25)

Members were informed that a draft ICZM document was out for public consultation. It was agreed that Caroline would prepare and circulate draft comments and call a working group to refine these as necessary. It was highlighted that comments had to be lodged by the 10th February 2006.

ACTION 58: Comments to be drafted circulated and finalised on the draft ICZM public consultation document.

d. European Eel Review (item 37)

Members were informed that the European eel stock is in serious decline and that an EU Directive is recommending that management plans must be in place by July 2007 which can guarantee escapement of 40% of mature eels. If the management plan is unacceptable to the EU then a ban on fishing from the 1st to the 15th of each month could be enforced. Such a ban could have a major detrimental impact on the local fishery. DCAL is currently consulting relevant parties and is drafting a management plan for the Lough Neagh system to highlight that there is currently 40% escapement. During the discussion, the following issues were highlighted:

- The global nature of the problem.

- The importance of the Lough Neagh & Lower Bann fishery in terms of local jobs, the local economy, local culture and therefore the need for cross departmental discussions and solutions etc,
- The need for a tailor made solution to the Lough Neagh situation
- The need for a river basin approach to the issue with all interested parties involved in one discussion forum.
- The inability to allocate EU funds to a particular fishery which may disadvantage another commercial operations.

Members also agreed to the LNAC request that DCAL should be asked to present the draft eel management plan at a joint LB/LNAC meeting.

e. Navigation Byelaws (Item 29)

Members were informed that WI has drafted a generic set of byelaws for all navigations within their jurisdiction. Comments will be sought on these in the New Year. Members agreed that a working group, comprising Robin Ruddock, Denzyl Dinsmore and Rob Skelly should draw up comments on the draft generic byelaws. It was also agreed that, if timely, a representative of Waterways Ireland should be asked to present the draft byelaws at the next Advisory Committee meeting.

ACTION 59: Comments to be lodged with Waterways Ireland on the draft generic byelaws for the system when appropriate.

ACTION 60: Waterways Ireland to be asked to present the draft byelaws to the next LBAC meeting if time scale permits.

Members highlighted that they had serious health and safety concerns over the numbers of powered craft operating at specific locations at peak times and agreed that this should be flagged up with Waterways Ireland and that the issue should be flagged up again most strongly with Ballymoney Borough Council.

ACTION 61: Letter to be written to Waterways Ireland highlighting the LBAC's concern over the high numbers of craft operating in designated zones at peak usage times.

ACTION 62: Ballymoney Borough Council to be re-informed of the LBAC's concerns over the high numbers of powered water craft simultaneously operating in the Drumaheglis zone.

In response to a specific question, Mr Stephen Douglas indicated that Waterways Ireland has no specific plans to charge boaters using the system.

f. Water Framework Directive Consultation (Item 8)

After explanation and discussion, members agreed that the following should be the five significant water management issues noted on the WFD proforma:

1. water quality
2. abstractions/water loss/level management

3. data – inappropriate data and inappropriate collection in terms of highlighting problems and solutions
4. recreational issues and
5. lack of co-ordination between management organisations.

ACTION 63: WFD proforma to be completed and forwarded as appropriate.

g. Castledawson to Randalstown Dualling (Item 26)

Members were reminded of the previous LBAC comments that had been lodged with Roads Service on the proposed corridors and proposal in general. It was highlighted that the red route variant was now the preferred option and that this occupied a route to the north of the current road on the west of the River. Members were also informed that a swan feeding survey was being carried out on the fields in the area and that there was significant local opposition to this route.

During the ensuing discussion, the following issues were highlighted:

- this solution/proposal was considering short term costs against long term gain,
- it could result in development to the north of the new road which would have more likelihood to impact negatively on the SPA, ASSI, Ramsar etc. and
- that the increase in network and upgrading of road infrastructure would encourage greater road usage which is contrary to current CO2 reduction policy.

Members agreed that economics had possibly been given greater consideration than the natural environment as the preferred route used a green field option rather than dualling the existing carriageway. It was agreed that a letter should be sent to Roads Service to highlight the Committee's unease at this approach. It was also agreed that the Management Committee should consider this issue in terms of joined up government and the possible imbalance in emphasis given to economic as opposed to environmental issues – the most financially cost effective should not necessarily become the preferred option.

ACTION 64: Letter to be sent to Roads Service seeking the justification behind highlighting the red route variant as the preferred option and seeking comment on the possible over emphasis of economics over environmental concerns in determining the way forward.

ACTION 65: Management Committee to be asked to give consideration to the Castledawson to Toome dualling route in terms of joined up government and the possible imbalance in emphasis given to environmental and economic issues.

ACTION 66: Photograph of swans feeding on one of the route fields to be forwarded to Roads Service/ study consultants as appropriate.

h. Future Consultations (Item 42)

This issue was discussed under agenda item 5c.

6. 'Zebra Mussels in Lough Neagh – Actions and Implications'

In the absence of an EHS representative, Caroline provided the following information to members:

- 5 adult Zebra Mussels were found at Kinnego in Lough Neagh in November
- The mussels found have bred - larval stages have been found attached to ropes
- 1 adult can produce up to 1m eggs/yr
- The larvae attach to a hard substrate and to each other
- They are filter feeders and remove the algae from the water column, which has knock on implications on the food chain, plant life etc.
- The potential impacts on Lough Neagh and on the Lower Bann are unknown, but modeling studies will be done.
- The larval stages can move downstream with the current, but it is also likely that they will be transported upstream on navigating boats etc.
- The impact on the hypertrophic nature of the Lough and the Lower Bann is unknown, although there are a number of scenarios.
- Perch tend to co-habit happily, whilst roach are disadvantaged as the mussels eat the algal food of the young roach.
- EHS will continue to work with the Zebra Mussel Control Group, raise awareness and in general implement the ZM Strategy.

Copies of the presentation slides are available from Sperrin House.

During a discussion it was agreed that members would keep a watching brief on the spread and impact of zebra mussels. It was also highlighted that zebra mussels can not survive in saline water.

Action 67: LBAC to keep a watching brief on the impact of zebra mussels on the Lough Neagh & Lower Bann system.

7. Any Other Business

Mr Rob Skelly informed members that there were plans to have an International Water Sports event on the river towards the end of June and that publicity material was being developed.

8. Date and venue of next meeting

It was agreed that the next meeting would take place on **Thursday, 9th March 2006** in Sperrin House, Magherafelt.

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Actions from Lower Bann Advisory Committee meeting - 15th December 2005

No.	Action
51.	Rivers Agency to be approached with a view to revising its decision not to make a presentation at the joint LB/LNAC seminar in January 2006.
52.	Presentation to be arranged on water level management and recommendations of the hydrological modeling study
53.	Letter to DARD regarding solution to removal fallen animals in water courses should be followed up.
54.	Letter to be sent to Inter-Departmental Committee requesting that a the issue of fallen animals in water courses be discussed and an acceptable solution highlighted and the means found for implementation.
55.	Management Committee to give consideration to the fallen animal issue.
56.	Dredging of the River to be placed on a future agenda.
57.	Letters to be written to WI and CBC highlighting the need for sensitivity when considering the future plans for the Camus.
58.	Comments to be drafted circulated and finalised on the draft ICZM public consultation document.
59.	Comments to be lodged with Waterways Ireland on the draft generic byelaws for the system when appropriate.
60.	Waterways Ireland to be asked to present the draft byelaws to the next LBAC meeting if time scale permits.
61.	Letter to be written to Waterways Ireland highlighting the LBAC's concern over the high numbers of craft operating in designated zones at peak usage times.
62.	Ballymoney Borough Council to be re-informed of the LBAC's concerns over the high numbers of powered water craft simultaneously operating in the Drumaheglis zone
63.	WFD proforma to be completed and forwarded as appropriate.
64.	Letter to be sent to Roads Service seeking the justification behind highlighting the red route variant as the preferred option and seeking comment on the possible over emphasis of economics over environmental concerns in determining the way forward.
65.	Management Committee to be asked to give consideration to the Castledawson to Toome dualling route in terms of joined up government and the possible imbalance in emphasis given to environmental and economic issues.
66.	Photograph of swans feeding on one of the route fields to be forwarded to Roads Service/ study consultants as appropriate.