

DRAFT Minutes of the thirty-eighth meeting of the Lough Neagh Advisory Committee held on Wednesday 1st June 2005 at 10.00am in The Marina Centre, Ballyronan.

Present

Cllr Peter O'Hagan (Acting Chairman)
Mr C W Dickinson
Mr Archie Gibson
Mr Conor Jordon
Dr Arthur Mitchell
Mr Ken Bell
Mr Denzyl Dinsmore
Mr Conor Moore
Mr Billy Mullen
Cllr Sydney Anderson
Cllr Francis Molloy
Mrs Elizabeth Meharg
Cllr Walter Greer
Mr James Smyth

In attendance

Mr Darrell Stanley (EHS)
Mr Stephen Foster (EHS)
Ms Kathleen Conlon (DCAL)
Ms Caroline Marshall (Liaison Officer)

In the absence of Prof Brian Wood, Cllr Walter Greer proposed and Mr Archie Gibson seconded Cllr Peter O'Hagan as the Chairman. The members agreed and Cllr O'Hagan took the chair.

Introductions

Following the local government elections, and the subsequent change in membership, members introduced themselves. In particular, the Chairman welcomed Cllr Sydney Anderson from Craigavon Borough Council and Mr James Smyth from the Lough Neagh Fishermen's Co-operative Society Limited.

1. Apologies

Apologies were received from, Mr Newell McCreight, Mr Brian Cassells, Cllr Mrs M Baker, Cllr Mark Russell (Craigavon), Mr John Scovell and Prof Brian Wood.

2. Minutes of last meeting – 2nd March 2005

With the insertion of Mr Conor Corr in the present list, the minutes were proposed by Dr Mitchell, seconded by Mr Dickinson and agreed by the members.

3. Matters Arising

The meeting considered the Actions of the last meeting as follows:

Action	Update/Discussion/Future Action
2	LO to write to SELN to encourage attendance at LNAC meetings and participation in management structure. Caroline updated members that the Directors of Shaftesbury Estates of Lough Neagh Limited had agreed that Mrs Elizabeth Meharg would now represent the company's interests on the Advisory Committee.

7a	LO to call an initial meeting of the Lough Neagh Resources Working Group. Item 3a. refers.
10	Bob Davidson to liaise with DETI on reports relating to the sand requirement of Northern Ireland and report back. As Bob Davidson has now been replaced by Darrell Stanley as the EHS 'in attendance' representative on the LNAC, it was agreed that Caroline should source this information. ACTION 10: LO to liaise with DETI on reports relating to the sand requirement of Northern Ireland and report back.
11	Management Committee to give consideration to the provision of travel expenses where appropriate and lunch for all attending Advisory Committee meetings. Members were informed that the Management Committee agreed to provide lunch but not travel expenses. After discussion, when it was highlighted that members of several other similar 'advice giving' bodies received travel expenses, members agreed that the Management Committee should be asked to reconsider this issue. It was highlighted that, for various reasons, approximately 6 LNAC members were not reimbursed for travel expenses by their parent body. ACTION 11: Management Committee to give consideration to the provision of travel expenses, where appropriate, to LNAC members.
12	LO to set up system to facilitate the uploading of Advisory Committee minutes to the website. The agreed minutes were already on the website and future minutes will be uploaded as appropriate (www.loughneagh.com).
13	Management Committee to consider the merits of asking the LNFA to become a member of the LNAC to represent the interests of Lough Neagh fishermen. The Management Committee agreed that: 'The extension of an invitation to the LNFA to attend an appropriate Advisory Committee meeting with an agenda relevant to its interests would be right and proper'.
14	Meeting to be held with the Association and the Co-operative with a view to increasing the input to Advisory Committee meetings from the commercial fishing sector. Meeting to be set up with Association.
15	LO to reply to the letter received from the LNCo-op in relation to radar reflectors on fishing boats. Reply sent.
16	Kathleen Conlon to forward a copy of the full Lough Neagh Navigation Authority study to Sperrin House. Document received.
17	Safety & Navigation Working Group to meet to discuss the Lough Neagh Navigation Authority report and report back. Item 3b refers.
18	Presentation from Waterways Ireland to be organised for the next Advisory Committee meeting and LNP, LBAC and Management Committee members to be invited.

	Presentation to follow this LNAC meeting.
19	LO to organise a presentation from David Houston, Inland Fisheries at a subsequent meeting. Carry forward ACTION 19: LO to organise a presentation from David Houston, Inland Fisheries at a subsequent meeting
20	LO to source Nitrates Directive consultation document, draft comments as necessary and provide an update relating to the implementation of the Nitrates Directive for subsequent meeting. Item 3c refers.
21	LO to revise 'Operations and Communications Report', in light of subsequent information, and seek Committee approval at next meeting. Item 3d refers.
22	Letter to be sent to Antrim Borough Council expressing concern at the closure of the slipways at Loughshore Park and highlighting the need for action to have the slipways reopened as soon as possible. Item 3e refers.
23	Reply letter to be sent to Lough Neagh Fishermen's Co-operative Society Limited highlighting offer of a meeting and recommending that a representative attend LNAC meetings. Letter sent and reply received highlighting the Co-op rights with regard to commercial fishing interests and highlighting representation at Advisory Committee meetings. Offer of meeting not taken up.
24	Management Committee to research need for insurance for Advisory Committee as necessary. Members were informed that the Management Committee discussed this issue and agreed the following: '... that insurance was probably not needed for the Advisory Committees as it was providing 'advice' and not 'acting'. However it was agreed that Caroline should liaise with Lagan Valley Management Committee staff and report back.' LNAC members agreed that whilst it was useful to know the approach taken by other 'advisory bodies', there was a need for professional advice to insure that Advisory Committee members were adequately indemnified against any advice given or action taken. Members recommended that the Management Committee seek legal advice from Senior Council. ACTION 24: Management Committee to research need for insurance for Advisory Committee as necessary.
25	Working Group to be set up to steer and report on implementation of the recommendation in the Lough Neagh Management Strategy. Pending. ACTION 25: Working Group to be set up to steer and report on implementation of the recommendation in the Lough Neagh Management Strategy.
26	Minister (post election) to be made aware of the importance of implementation of the recommendations in the Lough Neagh Management Strategy.

	Pending. ACTION 26: Minister to be made aware of the importance of implementation of the recommendations in the Lough Neagh Management Strategy.
27	Kathleen to provide an update on the implementation of works to Derrywarragh Bridge. Item 3f refers.

a. Lough Neagh Resources Working Group

Caroline updated members as follows:

The working group met on 9th May 2005 and agreed the remit as follows:

‘To explore the issues and management implications associated with the resources of Lough Neagh and to report and make recommendations, via the LNAC, to the Management Committee.’

The main resources for discussion were highlighted as water, bed and soil, sporting rights, islands and antiquities.

Issues, in need of clarification were highlighted.

Following a request from the LN Co-operative, members agreed to the Rev Kennedy request to have a seat on this working group.

b. Safety & Navigation Working Group

Caroline informed members that the SNWK met on 3rd May 2005. The main agenda item was the ‘Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann’ Report, prepared for DCAL by Waterways Ireland. Caroline summarised the outcome of the SNWG meeting as follows:

- a. Excellent document
- b. In showing a basic duty of care towards all navigational users of the Lough Neagh system, a navigation authority should be established post haste.
- c. The Safety & Navigation Working Group of the Lough Neagh & Lower Bann Advisory Committees is best placed to become the consultative forum.
- d. The phased activities should be split into more distinctive sections.
- e. The LNAC should seek a meeting with the minister to highlight avenues for the establishment of a navigation authority for the Lough Neagh system.
- f. Ownership of the bed and soil was an important issue in day to day operation of a navigation authority
- g. The information relating to infrastructure will need to be updated.
- h. Some of the proposals may have implications for the natural environment including the features of the SPA. As such ‘environmentally’ focused members of the Advisory Committee should review the document and EHS should consider the potential implications.
- i. The relevant economic, environmental etc. tests of likely significance should be initiated as soon as possible.
- j. There should be ‘non-executive’ directors on the board of Waterways Ireland to provide local expertise.
- k. The detail of each infrastructural proposal will be examined at the next meeting.

In the light of further discussion at the scheduled presentation, members accepted the recommendations of the SNWG and agreed that they should be taken forward as appropriate.

ACTION 28: Recommendations from the SNWG in relation to the 'Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann' to be taken forward as appropriate.

Conor Jordan joined the meeting

c. Comments on the Nitrates Directive consultation

Members agreed that the comments on the latest Nitrates Directive should be finalised and forwarded with the inclusion of the following:

- The Committees appreciate that the intensive farming sector will have the greatest difficulty in implementing the Nitrates Directive, due to either the need to acquire a huge acreage of land to deal with the manure produced or with having to de-stock
- 'particularly energy creation' to original point no. 14
- The Committees would like to provide the following answers/comments to the questions on page two:
 - a. Yes, the closed periods for chemical fertilisers are appropriate.
 - b. Yes, the closed period for organic manure is appropriate.
 - c. –
 - d. Yes, the recommendations for livestock manure storage capacity are appropriate.
 - e. Northern Ireland does not have suitable facilities. It is vital that further research takes place on this issue.
 - f. Yes, the phosphorous controls are appropriate.
 - g. The highlighted suggestions in the document are appropriate
 - h. Yes, the proposed timescale for implementation is reasonable – there are few other options but to comply as soon as possible.

ACTION 29: Updated comments on latest Nitrates Directive consultation document to be lodged.

d. Final Approval of 'Operations & Communications Report'

Caroline informed members that this document would be renamed the 'Business Plan'. With the change of the priority of item 5.5 to 'high' and the insertion of 'when ready/appropriate' to the end of the third paragraph in 5.7, members agreed the Business Plan.

e. Antrim Slipway Closure

Caroline informed members that she had written to the Council, expressing the Committee's concerns and outlining advice. She also informed members that she had received the following information from Antrim Borough Council:

‘... we have now agreed terms with Council’s insurers which allows us to reopen the main concrete slipway at the Loughshore Park. Up until now, the slipways and jetties owned by Council (including Cranfield) were specifically excluded from the Public Liability policy for the Loughshore Park. Council changed its Insurance provider this year but we have had to pay a substantial additional premium to cover the slipways/jetties.’

Members welcomed this development and congratulated Antrim in securing this acceptable solution.

f. Update on Derrywarragh Bridge

Kathleen Conlon updated members as follows:

- a. planning permission has been approved for the infrastructural work,
- b. an archaeological survey, to be funded by DCAL, has to be completed before work can start,
- c. a contractor has been chosen
- d. the timescale for completion of the infrastructural work is uncertain due to the uncertainty associated with the archaeological study,

Members welcomed this progress and look forward to the bridge’s completion.

4. Liaison Officers Report June 2005

Caroline drew members’ attention to the June 2005 Report. In particular, members discussed the following:

a. LNSF 2nd Tranche Applications

Caroline informed members that she had provided outline comments to Gerry Darby, Manager of the LNSF, on the tranche 2 applications. A member asked for additional information in relation to the radar project. He was re-directed to Gerry Darby.

b. TOLS for Water Abstraction

Caroline informed members that Water Service was examining the possibility of taking the same amount of water, but from a larger number of locations spread around the Lough. She indicated that she had spoken to consultants, employed by WS, and that these consultants would be recommending that this abstraction point location (not quantity) change would require a full Environmental Statement.

Caroline informed members that both the Committees would be consulted in the preparation of the full Environmental Statement.

Members welcomed this further consultation.

During a brief discussion related to pollan, the following were highlighted:

- the research being carried out will contribute to the preparation of a Species Action Plan for pollan,
- the Co-op does not exert its full rights in connection with commercial fishing of pollan, but it may reconsider this in the future and
- the existence of the pollan fishery could be a useful promotional tool for the Lough.

5. Any Other Business

a. Water Framework Directive stakeholder participation consultation.

Notes on the Water Framework Directive stakeholder participation consultation meeting were tabled. Copies can be obtained from Sperrin House on request.

b. Proposed Drainage (Environmental Impact Assessment) Regulations'

Members were informed that the Committees had been invited to comment on 'Proposed Drainage (Environmental Impact Assessment) Regulations'. Members agreed that Caroline should draft comments and agree these with appropriate members.

ACTION 30: LO to draft, circulate as appropriate and submit comments on the Proposed Drainage (Environmental Impact Assessment) Regulations'.

c. Directors for South Antrim Rural Network

It was agreed that no LNAC members would be put forward for the election of directors to the board of SARN.

d. High Hedges Consultation

Following discussion, it was agreed that a copy of this consultation document should be requested and comments drawn up and submitted if/as appropriate.

e. Name of Eel Express

It was highlighted that the name 'Eel Express' did not do justice to the contents of the magazine and that consideration should be given to changing the name. It was agreed that members should ponder this proposal.

6. Date and Venue of next meeting

It was agreed that the next meeting would take place at 10.00am on

Thursday, 1st September 2005 at, the newly refurbished, Lough Neagh Discovery Centre, Oxford Island. Possible agenda items include:

- Development of/potential for recreational angling
- Status of ASSI
- Zebra mussel awareness

Presentation of the Lough Neagh Navigation Report by Nigel Russell, Waterways Ireland.

Members of the Lower Bann Advisory Committee, Lough Neagh Partnership, Lower Bann Partnership and Lough Neagh & Lower Bann Management Committee arrived for this item.

Mr Russell gave an overview of the preparation of and recommendations contained within the 'Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann' Report.

During the ensuing discussion, the following points were highlighted:

1. DCAL had no budgetary provision for taking the recommendations of this report forward. A business case would need to be made. Support, etc. from the Advisory Committees, Lough Neagh Partnership and other relevant interest groups would assist DCAL in raising the profile of the need for a navigation authority on Lough Neagh.
2. Implementation of the recommendations would have implications for other government departments and as such, there was a need for inter-departmental communication.
3. It would be more appropriate for the Advisory Committees to target its support for the implementation of these recommendations at Permanent Secretary level, as opposed to Minister level.

The following was agreed by those present:

“The recommendations highlighted in the ‘Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann’ Report are most welcome and the process of implementation should be initiated by the relevant government departments as soon as possible.”

The following action was agreed:

ACTION 31: Letter to be drafted and sent to DCAL’s Permanent Secretary highlighting the importance of progressing the implementation of the recommendations highlighted in the ‘Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann’ Report.

Actions from Lough Neagh Advisory Committee meeting held on 1st June 2005

	Action	Implementer
10	LO to liaise with DETI on reports relating to the sand requirement of Northern Ireland and report back.	Caroline Marshall
11	Management Committee to give consideration to the provision of travel expenses, where appropriate, to LNAC members.	Management Committee
19	LO to organise a presentation from David Houston, Inland Fisheries at a subsequent meeting.	Caroline Marshall
24	Management Committee to research need for insurance for Advisory Committee as necessary.	Management Committee
25	Working Group to be set up to steer and report on implementation of the recommendation in the Lough Neagh Management Strategy	Caroline Marshall
26	Minister to be made aware of the importance of implementation of the recommendations in the Lough Neagh Management Strategy	Caroline Marshall
28	Recommendations from the SNWG, in relation to the 'Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann', to be taken forward as appropriate.	Caroline Marshall
29	Updated comments on latest Nitrates Directive consultation document to be lodged.	Caroline Marshall
30	LO to draft, circulate as appropriate and submit comments on the Proposed Drainage (Environmental Impact Assessment) Regulations'.	Caroline Marshall
31	Letter to be drafted and sent to DCAL's Permanent Secretary highlighting the importance of progressing the implementation of the recommendations highlighted in the 'Navigation Authority Status for Lough Neagh, the River Blackwater and the Upper Bann' Report.	Caroline Marshall

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