

Readout from stakeholder engagement event

Friday 29th August

10am – 12.30pm

Loughry College

Table 2

Question 1

Support needs to be compliance support not a broad term of support.

Who is responsible for educating the various industries?

It's not a one size fits all regarding education, each industry will be different.

There is a silo approach but there are opportunities to share knowledge. Learn from other sectors and tailor it to each individual sector.

Need to connect and feed into projects which are already established.

There is a lack of confidence from agriculture sector and fear information provided will be used against them.

Need to step away from the blame culture and move towards working together and supporting the sector to help build confidence.

Better communication between the department and the sectors will alleviate fears and work towards building confidence.

Sharing best practice between each sector can help with education.

There needs to be sector specific guidance, eg. STOP guidance for quarry industry could be adapted to other industries.

Industries need to be better informed on information about grants and other financial incentives which are available to them and where and how to apply.

There needs to be enough trained staff who can deliver the education piece.

Need to build confidence with all industries.

More resources from the Department so they can be more visible to the industries will help build confidence and partnership working.

Construction/ quarry industry have a very good working relationship with HSENI.

Legislation can't be too stringent, needs to be future proof with room for discretion.
Can't plan for natural disasters so need discretion for enforcement.

Need to work with trade bodies to help with education pillar.

Question 2

Restoration is very important – Queens are looking at ways to remove phosphorus from Lough Neagh and put it into concrete.

Need legislation to set scene for the future, but it won't solve today's pollution problems.

Restoration pillar shouldn't be last pillar, restoration needs to begin now and should include preventative measures.

Some industries and farmers are pro-actively removing pollutants from making their way into the environment, this needs to be encouraged. There needs to be education and understanding of preventative measures.

Any policy and legislation needs to be future proof.

Need industries and Government to work together, a joined up approach would help build confidence.

There is a clear link between pillars and River Based Management Plan.

Restoration approach needs to be better advertised, and industries need educate on what they need to do.

Soil management programme is a good example of the Department working with the agriculture sector. It was successful because it was well resourced.

Department needs to work with trade bodies.

Need to move away from the blame game and start focusing on how restoration can take place. The blame game culture affects confidence.

The localized approach to the river based management programme has worked well.

The education pillar is very important and different sectors understanding how their work effects other sectors and the work they do is very important.

Education, trust, awareness and appreciate between the different sectors and the Department is very important.

Everyone is trying to improve water quality apart from waste criminals and farmers and business should not be put in the same category as those who deliberately pollute water.

Industries take responsibility and issues seriously and are invested in preserving the environment and not damaging it.

DAERA Marine and Fisheries Bill Team

From: DAERA Marine and Fisheries Bill Team

Sent: 28 July 2025 15:15

Subject: Water Quality Policy Stakeholder Event

DAERA is currently consulting on policies to inform the development of a Fisheries and Water Environment Bill. Good water quality and habitat are essential for healthy fish stocks and wider ecosystems. The key pressures acting upon our water environment are related to nutrients and organic pollutants and are attributed to both agricultural land use activities, sewage related impacts, and a range of other sources.

The Department wishes to deter polluters and non-compliant operators, protecting and restoring our water environment. Within the Lough Neagh Report there are key actions to explore and consult on enforcement methods, including the introduction of fixed penalty notices for non-compliance, and penalties and fines for the water pollution offences in current legislation. The policy suite which is currently being consulted upon focusses on the fisheries and aquaculture policies to inform the drafting of a Fisheries and Water Environment Bill, with a further policy consultation on the water quality policy later this year.

To inform this policy development, I would like to invite you to a closed stakeholder event focussed on water quality. The event will be held over two sessions – the first on 19th August (2-4.30pm) with a review session on 29th August (10am-12.30). Both events will be held in the recreation centre at Loughry College and will follow a structured format, inviting round table discussion on the topic.

I would be grateful if you could please indicate if you are available to attend both sessions, and if not, please nominate a suitable deputy.

Please also note if you have any dietary restrictions or accessibility requirements.

I would be grateful for confirmation of your attendance or otherwise by Thursday 7th August, by return email.

Many thanks

Head of the Fisheries and Water Environment Bill team



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DAERA Marine and Fisheries Bill Team

From: DAERA Marine and Fisheries Bill Team

Sent: 27 August 2025 11:45

To: DAERA Marine and Fisheries Bill Team <MarineandFisheriesBillTeam@daera-ni.gov.uk>

Subject: stakeholder engagement session - Friday 29th August (from 9.30am for 10am start)

Hi everyone,

In preparation for Friday's meeting at Loughry (same room as before), please see attached agenda, summary of the key themes from the previous session and a short paper outlining some policy options for discussion.

Please do not circulate this material outside of this group at this time.

I will look forward to seeing you on Friday – scones are available from 9.30am with the session starting then at 10am,

This closed session follows on from last week's session (19th) – if you have not yet confirmed attendance and find that you are now able to attend, please let me know before lunchtime tomorrow,

Many thanks,

Head of the Fisheries and Water Environment Bill team



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AGENDA for 29th AUGUST

09.30 – Scones and tea/coffee available on arrival

10.00 – Welcome and introductions, summary of previous event and feedback

10.15 – Fisheries and Water Environment Bill – what can be written into a policy position - what can be incorporated into the Bill

10.30 – Round table discussions on policy options (sent by email in advance)

11.15 – Round table discussion on 4 pillars and their fit with RBMP

12.00 – Facilitator feedback and questions

12.30 – Meeting close (sandwiches available).



Protection of the Water Environment

Stakeholder Engagement session 2 - 29th August

Policy Options

A. Extend the remit of the 4 key pillars identified in the Lough Neagh Action Plan through the fourth cycle River Basin Management Plan (RBMP)

- **Education** - to empower knowledge and skills essential to underpin effective decision making.
- **Investment** - with incentivisation and innovation that drives the adoption of sustainable practices and promotes the importance of behavioural change/science.
- **Regulation** - to ensure that we have a robust legislative framework in place that ensures the protection of our environment, and
- **Enforcement** - a readiness and a determination to take strong, meaningful action when compliance with the regulation fails in a fair, balanced and proportionate manner.

Prevention through the pillars of education, investment and regulation is critical.

Proposed approach

1. In the fourth cycle River Basin Management Plan, DAERA could extend the principles of Education, Investment, Regulation and Enforcement as a framework within which the planning would progress.
2. We could require the publication of an overarching Protection of the Water Environment Policy Statement to show how the overarching framework would be integrated within River Basin Management Planning and how this would be taken forward in a programme of measures.

Q - What are your views on extending the 4 pillars from the Lough Neagh Action Plan to the River Basin Management Planning process?

B. Consistency of approach – any polluter...any pollutant

Creating consistency of approach to water pollution offences is a policy aim of the Fisheries and Water Environment Bill. Under the Water (Northern Ireland) Order 1999 it is an offence '*knowingly or otherwise to discharge or deposit any poisonous, noxious or polluting matter so that it enters a waterway or water contained in any underground strata*', carrying a maximum penalty of £20k.

Maximum penalties for pollution under the Waste and Contaminated Land (Northern Ireland) Order 1997 are £5k or £50k in the case of controlled waste. It is proposed that all offences relating to water pollution are raised consistently to £50k which is equivalent to penalties within fisheries legislation, marine licensing etc.

A consistent approach is a key principle of the DAERA enforcement policy¹, the objective of which is to prevent or reduce harm caused by non-compliance with statutory requirements.

Proposed changes

1. A standard approach could apply to industrial effluent, agricultural waste, controlled waste and wastewater in the Waste and Contaminated Land (Northern Ireland) Order 1997.
2. All offences resulting in pollution of the water environment (in both the Waste and Contaminated Land (Northern Ireland) Order 1997 and the Water (Northern Ireland) Order 1999) could carry the same maximum penalty, with the opportunity for unlimited fines as a possibility for certain crown court offences.

¹ [DAERA Enforcement Policy - 2023](#)

C. Provide additional enforcement tools

The Bill could offer the opportunity to get a primary power to make regulations at a later stage to introduce Fixed Penalty Notices and Fixed and Variable Monetary Fines as additional enforcement mechanisms in relevant legislation, with further consultation on each piece of secondary legislation as it is developed.

Similar approaches have proven to be an effective enforcement mechanism for minor to moderate breaches of regulations and would ensure that prompt action could be taken to deter behaviours which impact on water quality. **In cases where there are significant breaches of legislation, the Department would pursue the case through the enforcement process that may lead to a prosecution.**

Administrative penalties (such as FPNs and Fixed and Variable Monetary penalties) require the same level of evidence to be gathered and would not be administered on the spot. They would be subject to the same scrutiny by enforcement panels as prosecutions.

Suggested action:

1. Enhanced enforcement tools such as Fixed Penalty Notices and Fixed and Variable Monetary Fines could ensure that minor and moderate breaches are dealt with more swiftly, providing immediate deterrence to polluters and non-compliant operators.

Policy intent - The Department wishes to deter polluters and non-compliant operators, supporting the Departmental priority of protecting and restoring our water environment and delivering improvements to water quality.

Q – Do you think there is anything else from a legislative perspective that needs to be included in the Bill?

Questions for table top discussion – protection of the water environment

Session 1- 19th August 2025

Question 1

- **Context** - The key drivers behind the need for change in the water environment and regulations include, the PfG, Lough Neagh report, the NIAO reports and OEP recommendations. Water quality affects individuals and organisations as a whole and the Department want to ensure there is an equitable approach adopted to enforcement relating to pollution offences which will incorporate any polluter and any pollutant.
- **What are your views on how the Department could achieve this equitable approach?**

Key Themes

1. Shared Responsibility Across Sectors

- Strong consensus that **all sectors must contribute** to improving water quality.
- Recognition that **everyone has a role to play**, from individuals to large corporations.

2. Definition and Application of Equity

- Debate around what “equitable” means:
 - Should penalties be **uniform** or **variable** based on factors like intent, ability to pay, or environmental harm?
 - Need for **proportionality** and **fairness** in enforcement.

3. Sanctions and Penalties

- Concern that **current fines are too low** and **not consistently applied**.
- Calls for:
 - **Sentencing guidelines** to be reviewed and strengthened.
 - **Fines** should reflect intent of offender and level of environmental harm.
 - **Judicial education** on environmental harm.
 - **Fair fines across all sectors**, avoiding double penalties (e.g., farmers losing grants and being fined).
 - **Fines to be used to fund environmental restoration**.

- **Environmental liability** regulations to be used to recover costs for remediating environmental damage.

4. Education and Incentivisation

- There is action that can be taken to prevent environmental harm:
 - **Education** on compliance and pollution prevention.
 - **Incentives** for good practices.
 - **Financial assistance** schemes should be long-term and incentivise catchment scale collaboration.
 - **Early education** initiatives like eco-schools with a water theme.

5. Communication and Engagement

- Need for **better dialogue** between regulators and industries.
- Tailored messaging to different communities (e.g., urban vs rural) to make water quality personally relevant.

6. Mental Health and Social Impact

- Recognition of **unintended consequences** of enforcement, especially in rural areas where individuals may be publicly identified.
- Importance of **sensitive handling** to avoid stigma and mental health issues.
- Special consideration for **young people**.

7. Cross-Government and Multi-Industry Collaboration

- Call for a **joined-up approach** involving multiple departments and industries to tackle water pollution holistically.

Main Takeaways

- **Equity in enforcement** must balance fairness, proportionality, and sector-specific realities.
- **Education, incentives, and communication** are as vital as penalties in driving behaviour change.
- **Judicial reform and consistent application of fines** are needed to make enforcement effective.
- **Collaboration and tailored engagement** will help build public and sectoral support.
- **Sensitivity to social impacts**, especially in rural communities, is crucial for maintaining trust and fairness.

Summary of the consultee responses:

1. All sectors must contribute to improving water quality—shared responsibility is essential.
2. Equity in enforcement should consider intent, ability to pay, and environmental harm.
3. Current fines are too low and inconsistently applied; sentencing guidelines need review.
4. Education and incentives are key alongside penalties to encourage positive behaviour.
5. Better communication between regulators and industries is needed.
6. Enforcement must be sensitive to social impacts, especially in rural communities.
7. Farmers face double penalties—this needs to be addressed for fairness.
8. Tailored messaging can help engage different communities more effectively.
9. Early education (e.g. eco-schools) can foster long-term environmental responsibility.
10. A cross-government, multi-industry approach is vital for meaningful change.



IMPROVING WATER QUALITY



All sectors must contribute to improving water quality—shared responsibility is essential



Equity in enforcement should consider intent, ability to pay, and environmental harm



Current fines are too low and inconsistently applied; sentencing guidelines need review



Education and incentives are key alongside penalties to encourage positive behaviour



Better communication between regulators and industries is needed



Enforcement must be sensitive to social impacts, especially in rural communities



Farmers face double penalties—this needs to be addressed for fairness



Tailored messaging can help engage different communities more effectively

Question 2

- **Context** - One of the key priorities set out in the current Programme for Government is protecting Lough Neagh and the environment. The Lough Neagh Action Plan establishes a number of key actions which will work towards achieving this. Action 30 discusses exploring enforcement methods including fixed penalty notices and civil sanctions for non-compliance, to act as a deterrent for polluters and non-compliant operators.
- **What kind of sanctions might be the most effective deterrent for minor breaches of legislation?**

Key Themes

1. Proportional and Impact-Based Sanctions

- Sanctions should reflect the environmental harm caused, not just procedural failures.
- Proportionality and fairness are essential—major incidents should still go to court.

2. Flexible Enforcement Options

- Strong support for Fixed Penalty Notices (FPNs) and civil sanctions for minor/moderate breaches.
- These are seen as faster, less resource-intensive, and more practical than criminal prosecution.

3. Clear Guidance and Offence Categorisation

- Need for clear criteria on which offences warrant which sanctions.
- A traffic light system (warnings, then escalating penalties) was suggested.

4. Education First, Enforcement Last

- Emphasis on education, guidance, and support before enforcement.
- Most pollution is unintentional, so advisory support is key for first-time or accidental breaches.

5. Reparative and Restorative Approaches

- Support for reparative sanctions—e.g. fines funding habitat restoration.
- Interest in nature-based solutions and enforcement undertakings like those used in England.

6. Reputational and Non-Financial Deterrents

- Reputational damage can be more effective than fines.
- FPNs are seen as a non-criminal but visible deterrent.

7. Consistency and Cross-Border Alignment

- Enforcement should align with Republic of Ireland to avoid transboundary issues.
- Involvement of DfI and DfE is necessary due to cross-sector impacts on water quality.

Main Takeaways

- A tiered, proportionate enforcement system is preferred, with FPNs and civil sanctions for minor breaches.
- Education and support should be the first step, with enforcement as a last resort.
- Restorative justice and reputational consequences are valuable deterrents.
- Clarity, fairness, and consistency in enforcement are essential to build trust and ensure compliance.

Summary of the consultee responses on effective sanctions for minor environmental breaches:

1. Sanctions should reflect **actual environmental harm**, not just procedural failures.
2. **Fixed Penalty Notices (FPNs)** and **civil sanctions** are preferred for minor breaches.
3. These options offer **faster resolution** and reduce pressure on the legal system.
4. A **tiered approach** (education, then enforcement) is widely supported.
5. **Clear guidance** is needed on which offences suit which penalties.
6. **Reparative measures** like habitat restoration are strongly favoured.
7. **Reputational risks** (e.g. naming and shaming) can be powerful deterrents.
8. Enforcement must be **fair, proportionate, and transparent**, avoiding double penalties.
9. **Cross-border consistency** with the Republic of Ireland is important.
10. **Education and advisory support** should be prioritised for first-time or accidental breaches.



EFFECTIVE SANCTIONS FOR MINOR ENVIRONMENTAL BREACHES



Sanctions should reflect environmental impact, not just procedural failures



Fixed Penalty Notices (FPNs) and civil sanctions are welcomed for minor breaches



These options could speed up enforcement and reduce court burdens



Clear guidance is needed on which offences suit which penalties



Education and advisory support should precede enforcement, especially for first-time or accidental breaches



Reparative approaches (e.g. habitat restoration) and nature-based solutions are strongly supported



Reputational risks can be a stronger deterrent than financial penalties—naming and shaming may be effective



A traffic light system (warnings, then penalties for repeat offences) was suggested



Cross-departmental coordination and alignment with Republic of Ireland enforcement is essential

Question 3

- **Context** - The maximum fine in Northern Ireland for an offence prosecuted under the Water (NI) Order 1999 is £20k, however, similar offences across the UK and Ireland have much higher penalties. In addition, fisheries and aquaculture proposals (out for consultation at present) aim to raise the bar in terms of the importance of the ecosystem and penalties for ecosystem degradation offences.
The proposal is that many fisheries related offences will have the maximum penalty increased to £50,000.
- **What are your views on increasing the maximum fine available in Northern Ireland for offences on summary conviction prosecuted under the Water (NI) Order 1999,**
- **and how might this impact compliance, deterrence, and industry practices?**

Key Themes

1. Support for Increased Penalties

- General agreement that current fines are too low and lack deterrent effect.
- Some support for unlimited fines for serious pollution offences.

2. Judicial Application and Sentencing

- Concern that maximum fines are rarely applied.
- Need for judicial education and updated sentencing guidelines to ensure effective use of increased penalties.

3. Fairness and Equity

- Emphasis on equitable treatment across sectors—agriculture, industry, wastewater, and the public.
- Enforcement must avoid disproportionate impacts, especially on rural communities.

4. Polluter Pays Principle

- Strong support for enforcing the polluter pays principle.
- Recognition that some sectors (e.g. wastewater) are perceived as being under-regulated.

5. Education and Prevention

- Enforcement should be a last resort—education and awareness are key to preventing pollution.
- Need for training and guidance on pollution prevention and reporting.

Main Takeaways

- Increasing the maximum fine is broadly supported but must be matched by effective judicial enforcement.
- A fair, proportionate, and transparent system is essential to maintain public and sectoral trust.
- Education and preventative measures should accompany any changes to enforcement policy.
- Sector-wide consistency and avoidance of rural bias are critical for equitable implementation.
- Strengthening the polluter pays principle will reinforce accountability and drive better industry practices

Summary of the consultee responses on increasing the maximum fine:

1. General support for increasing fines, as current levels lack deterrent effect.
2. Concern that **maximum penalties are rarely applied**—judicial education is needed.
3. Sentencing guidelines must be **reviewed and strengthened**.
4. Fines should be **fair and proportionate**, with consistent treatment across sectors.
5. **Polluter pays principle** should be enforced more robustly.
6. Enforcement must avoid **disproportionate impacts on rural communities**.
7. Some support for **unlimited fines** for serious pollution offences.
8. Education and prevention should come **before enforcement**.
9. **Low court fines** undermine the credibility of environmental protection efforts.
10. Clearer attribution of responsibility is needed, especially in urban areas.



INCREASING ENVIRONMENTAL FINES



General support for increasing fines, as current levels lack deterrent effect



Concern that maximum penalties are rarely applied—judicial education is needed



Sentencing guidelines must be reviewed and strengthened



Fines should be fair and proportionate, with consistent treatment across sectors



Polluter pays principle should be enforced more robustly



Enforcement must avoid disproportionate impacts on rural communities



Some support for unlimited fines for serious pollution offences



Low court fines undermine the credibility of environmental protection efforts



Clearer attribution of responsibility is needed, especially in urban areas

DAERA Marine and Fisheries Bill Team

From: DAERA Marine and Fisheries Bill Team

Sent: 02 September 2025 15:26

Subject: Stakeholder Engagement Event - Water Quality 29 August 2025

All,

Thank you for your attendance at the second stakeholder engagement event in relation to water quality on Friday at Loughry College.

Please see attached slides which were presented on the screen to aid discussion.

I have included below a summary of our discussion of the policy options and the fit of the 4 pillars with the River Basin Management plan.

Main Takeaways – discussions centred on:

1. Sector-Specific Education and Support:

- Farmers and other sectors lack tailored guidance and consistent messaging.
- Absence of farm advisors and misinformation hinder sustainable practices.

2. Confidence and Collaboration:

- Agriculture sector fears misuse of shared information.
- A shift from blame culture to partnership and trust-building is essential.

3. Resource and Capacity Needs:

- Departments need more visibility and trained staff to support sectors.
- Unequal access to environmental funding, especially for agriculture.

Key Themes arising from discussion on Policy Options provided

1. Tailored Education and Guidance:

- Education must be industry-specific, not one-size-fits-all.
- Sharing best practices and adapting successful models (e.g. STOP guidance for quarries).

2. Building Trust and Breaking Silos:

- Better communication between departments and sectors.
- Collaboration with trade bodies and third-party assessments to support education.

3. Financial and Structural Barriers:

- Agriculture lacks access to environmental funding compared to other sectors.
- Planning procedures and other systemic issues hinder compliance and investment.

4. Legislative Flexibility and Future-Proofing:

- Legislation should allow discretion for unforeseen events.
- Consideration of adding consideration of “restoration” to reflect remediation goals; discussion that restoration might be the overall objective of the 4 pillars, or indeed the output

Key Themes - Fit of the 4 Pillars of Lough Neagh Action Plan with River Basin Management Plan

1. Restoration as a Priority:

- Restoration should begin immediately and include preventative measures.
- Innovative approaches (e.g. phosphorus removal by Queen’s University) are underway.

2. Alignment and Integration:

- Strong alignment between the 4 pillars and River Basin Management Plan.
 - Localized approaches have proven effective and should be expanded.
3. **Education and Cross-Sector Understanding:**
- Education fosters trust and awareness across sectors.
 - Understanding interdependencies between sectors is crucial.
4. **Encouraging Proactive Behaviour:**
- Recognition of industries already taking steps to reduce pollution.
 - Avoid grouping responsible businesses with deliberate polluters.

As outlined, the next steps are to complete a draft policy and share with Minister, following which a policy proposal will be launched for public consultation. The timeline is tight for this – consultation should commence during September.

Thank you for your role and your commitment to the constructive discussions which took place. When the consultation is ready for launch, I will be in touch to bring this to your attention,

Many thanks again



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An aerial photograph of a river winding through a lush green landscape. The river is dark blue and flows from the background towards the foreground. The surrounding land is covered in vibrant green fields, some with stone walls. In the distance, rolling hills are visible under a bright blue sky with scattered white clouds. The overall scene is peaceful and scenic, emphasizing the natural environment.

Fisheries and Water Environment Bill

Stakeholder Engagement on Water Quality

Fisheries and Water Environment Bill

Agenda for today's session

Welcome and introductions – Marine and Fisheries Division, DAERA

Policy and legislation - Head of the Fisheries and Water Environment Bill Team

Round table focused discussion on policy options

Round table discussions on the pillars in the RBMP

Facilitator feedback and next steps

12.30 - Close

Summary of discussion on 19th

We discussed:

How the Department can ensure an equitable approach to address any polluter, and any pollutant

The sanctions that would be the most effective deterrent for minor breaches of legislation

How increasing maximum fines may impact compliance, deterrence and industry practices

Feedback from the tables

Question 1 - How the Department can ensure an equitable approach to address any polluter, and any pollutant:

Main Takeaways

- **Equity in enforcement** must balance fairness, proportionality, and sector-specific realities.
- **Education, incentives, and communication** are as vital as penalties in driving behaviour change.
- **Judicial reform and consistent application of fines** are needed to make enforcement effective.
- **Collaboration and tailored engagement** will help build public and sectoral support.
- **Sensitivity to social impacts**, especially in rural communities, is crucial for maintaining trust and fairness.



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IMPROVING WATER QUALITY

- All sectors must contribute to improving water quality—shared responsibility is essential
- Equity in enforcement should consider intent, ability to pay, and environmental harm
- Current fines are too low and inconsistently applied; sentencing guidelines need review
- Education and incentives are key alongside penalties to encourage positive behaviour
- Better communication between regulators and industries is needed
- Enforcement must be sensitive to social impacts, especially in rural communities
- Farmers face double penalties—this needs to be addressed for fairness
- Tailored messaging can help engage different communities more effectively

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Feedback from the tables

Question 2 - The sanctions that would be the most effective deterrent for minor breaches of legislation

Main Takeaways

- A tiered, proportionate enforcement system is preferred, with FPNs and civil sanctions for minor breaches.
- Education and support should be the first step, with enforcement as a last resort.
- Restorative justice and reputational consequences are valuable deterrents.
- Clarity, fairness, and consistency in enforcement are essential to build trust and ensure compliance.



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Feedback from the tables

Question 3 - How increasing maximum fines may impact compliance, deterrence and industry practices

Main Takeaways

- Increasing the maximum fine is broadly supported but must be matched by effective judicial enforcement.
- A fair, proportionate, and transparent system is essential to maintain public and sectoral trust.
- Education and preventative measures should accompany any changes to enforcement policy.
- Sector-wide consistency and avoidance of rural bias are critical for equitable implementation.
- Strengthening the polluter pays principle will reinforce accountability and drive better industry practices



INCREASING ENVIRONMENTAL FINES



General support for increasing fines, as current levels lack deterrent effect



Concern that maximum penalties are rarely applied—judicial education is needed



Sentencing guidelines must be reviewed and strengthened



Fines should be fair and proportionate, with consistent treatment across sectors



Polluter pays principle should be enforced more robustly



Enforcement must avoid disproportionate impacts on rural communities



Some support for unlimited fines for serious pollution offences



Low court fines undermine the credibility of environmental protection efforts



Clearer attribution of responsibility is needed, especially in urban areas

Learning from session 1 - Question

HAVE WE
CAPTURED
EVERYTHING FROM
THE LAST SESSION?



IS THERE ANYTHING
ADDITIONAL WE
NEED TO TAKE
ACCOUNT OF?

Learning from session 1

The stakeholder feedback supports a shift toward:

- **Investing** in long-term, collaborative environmental solutions.
- **Incentivising** positive behaviour.
- **Innovative** enforcement and restoration strategies that are more effective, fair, and engaging.



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Learning from session 1

Clear need to ensure that any policy position is clear on the steps which precede enforcement.

This aligns with the approach taken in the Lough Neagh Action Plan – 4 pillar approach.

- **Education**
- **Investment (through incentivisation and innovation)**
- **Regulation**
- **Enforcement**

Evidence from the feedback

Education

This theme is consistently emphasized:

- **Pollution prevention education** is seen as essential.
- **Eco-schools** and early education initiatives are suggested to build long-term environmental awareness.
- Stakeholders advocate for **education-first approaches**, especially for first-time or accidental breaches.
- **Judicial education** is recommended to improve understanding of environmental harm.

Investment, Incentivisation, and Innovation

These elements are interwoven:

- **Financial assistance schemes** are proposed to support catchment-scale collaboration.
- **Incentives for good practices** are encouraged to promote voluntary compliance.
- **Reparative sanctions** (e.g. fines funding habitat restoration) reflect innovative enforcement.
- Interest in **nature-based solutions** and **restorative justice models** shows openness to innovation.



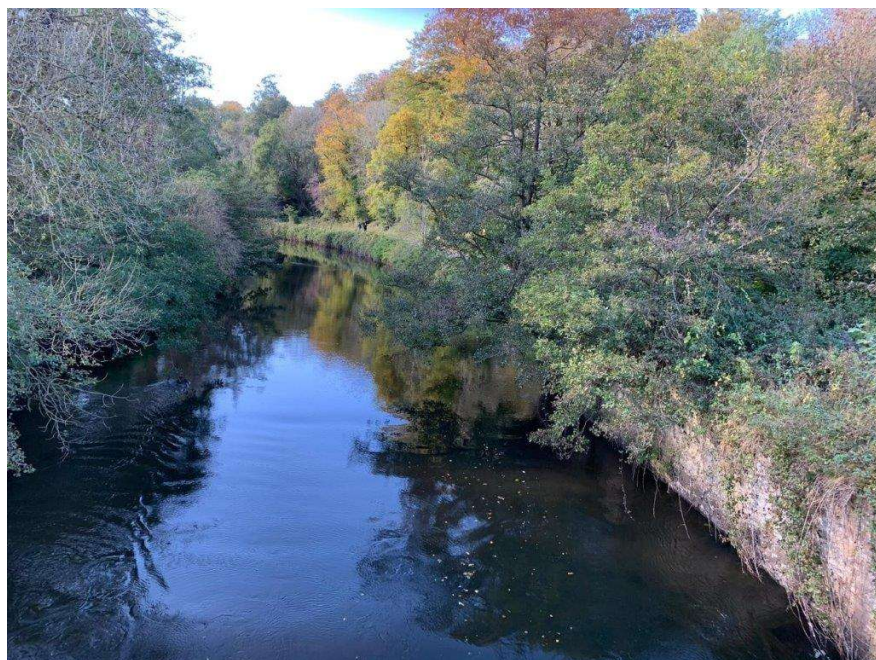
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Evidence from the feedback



Regulation

Stakeholders call for:

- **Clear definitions of equity** and proportionality in enforcement.
- **Updated sentencing guidelines** and consistent application of fines.
- A **traffic light system** for escalating penalties.
- **Cross-border regulatory alignment** with the Republic of Ireland.

Enforcement

This is a dominant theme:

- Support for **Fixed Penalty Notices (FPNs)** and **civil sanctions** for minor breaches.
- Calls for **higher maximum fines** and **stronger judicial application**.
- Emphasis on **fairness and transparency**, avoiding double penalties.
- Enforcement should be a **last resort**, preceded by education and support.



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Fisheries and Water Environment Bill

Policy – link between this and legislation

The difference between a policy on protection of the water environment and primary legislation to give it effect lies in their purpose, authority, and function:

Policy

Definition: A policy is a strategic plan or framework developed by government departments to guide decision-making and set priorities.

Purpose: It outlines goals, principles, and intended outcomes—for example, improving water quality, promoting sustainable use, or protecting ecosystems.

Status: Policies are not legally binding on their own.



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Policy – link between this and legislation

Primary Legislation

Definition: Primary legislation refers to Acts passed by the Northern Ireland Assembly or UK Parliament that have legal force.

Purpose: It provides the legal authority to implement policy objectives, including powers for enforcement, regulation, and penalties.

Status: Legally binding and enforceable in court.

How They Work Together

Policy informs legislation by identifying problems, setting goals, and proposing solutions.

Legislation enables policy by creating enforceable rules, powers, and structures to achieve those goals.



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Fisheries and Water Environment Bill

Why make primary legislation to support the protection of the Water Environment?

1. Strengthening Enforcement Powers

Primary legislation provides the legal authority to:

- Impose penalties and sanctions for pollution offences.
- Enable civil and criminal enforcement mechanisms, including Fixed Penalty Notices and environmental liability recovery
- Ensure consistency and proportionality in enforcement across sectors.

2. Addressing Historical Gaps and Weaknesses

- Earlier legislation was seen as outdated and fragmented, with lesser pollution control compared to England and Wales
- Reform needed to modernise enforcement tools and align with best practices in other UK jurisdictions.

3. Implementing the Polluter Pays Principle

- Legislation is essential to enforce the principle that polluters should bear the cost of environmental damage.
- This includes enabling cost recovery for remediation and restoration efforts



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Policy options



Policy options

Discussion – do you think that everything we discussed last week is linked in some way to one of the options?

If not – is there another option you could suggest?

4 pillars



How do you feel that this approach would work?



What is the fit between River Basin management planning and the 4 pillars in the Lough Neagh Action Plan?

Next steps

Consider feedback from today.
Develop a policy position for Minister to consider
Policy consultation

..and then draft the legal instructions



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DAERA Marine and Fisheries Bill Team

From: DAERA Marine and Fisheries Bill Team

Sent: 11 September 2025 09:14

Subject: Fisheries and Water Environment Bill - policy consultation - protection of the water environment

Dear All,

We are pleased to announce the Minister for the Department for Agriculture, Environment and Rural Affairs (DAERA) has today launched a public consultation on policy proposals relating to the protection of the water environment to inform the forthcoming Fisheries and Water Environment Bill.

The consultation outlines a range of policy proposals to be incorporated into the new legislation.

We would encourage you to respond to the consultation as this will provide us with a better understanding of your views.

A link to the consultation and associated documents can be found below. This will also direct you to the Citizen Space website which is hosting the online survey.

[Fisheries and Water Environment Bill – Protection of the Water Environment | Department of Agriculture, Environment and Rural Affairs](#)

Whilst we have not planned any formal consultation events, we are more than happy to meet with you during the consultation period if you would find it helpful to discuss the proposals with us, prior to submitting a consultation response.

We look forward to hearing from you.

Fisheries and Water Environment Bill Team

Marine & Fisheries Division

Department of Agriculture, Environment and Rural Affairs

Clare House,

303 Airport Road West,

Belfast,

BT3 9ED

MarineandFisheriesBillTeam@daera-ni.gov.uk

DAERA Marine and Fisheries Bill Team

From:

Sent: 06 November 2025 10:04

To: DAERA Marine and Fisheries Bill Team <MarineandFisheriesBillTeam@daera-ni.gov.uk>

Subject: Fisheries and Water Environment Bill UFU response

CAUTION – This email has been received from outside the NICS network. If you have any concerns, please report for investigation.

Please see attached UFU response to the consultation on the Fisheries and Water Environment Bill.

Regards

Ulster Farmers' Union
475 Antrim Road
Belfast
BT15 3DA

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FISHERIES AND WATER ENVIRONMENT BILL
PROTECTION OF THE WATER ENVIRONMENT
POLICY CONSULTATION

UFU Response

October 2025

What are your views on extending the 4 pillars which underpin the Lough Neagh Action plan to all waterways and using this approach to develop River Basin Management Plans?

The UFU is supportive of the four pillars which underpin the Lough Neagh Action Plan and therefore can support extending this approach to the development of the River Basin Management Plans. It is important however, that DAERA and NIEA focus resources on the first two pillars; education and incentivisation as these will deliver most environmental benefits.

The UFU believes that Figure 1 summarises how regulators should work with farmers. Almost all farmers want to be compliant to avoid hefty fines and penalties and it is vital that NIEA use this model and work with stakeholders to deliver compliance and more ‘champions’.

Compliance and engagement spectrum

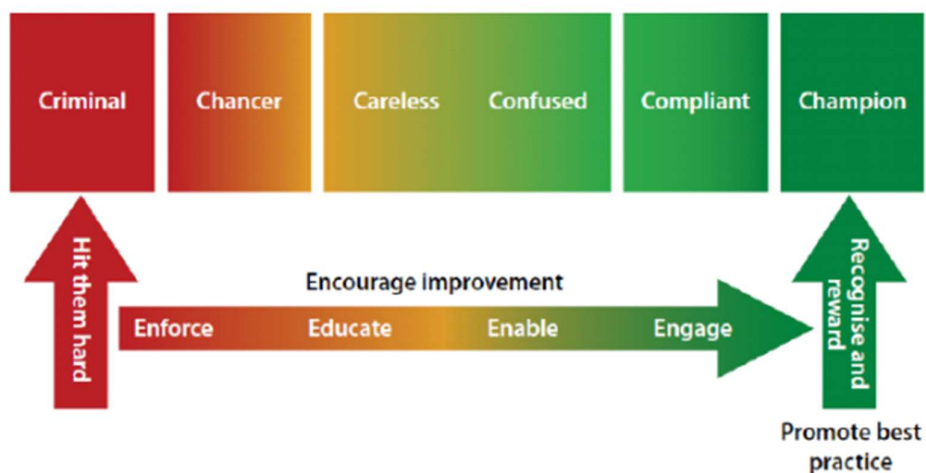


Figure 1: Compliance and engagement spectrum (Source: NFUS)

The UFU would like NIEA to seriously consider how they can better address diffuse agricultural pollution and work alongside farmers rather than against them to achieve water quality targets. Prosecution and penalties do nothing for the water quality and the UFU believe that if NIEA co-operated and worked with farmers in problem areas this would be more beneficial to the water environment. The Sustainable Catchment Programme is an excellent example of partnership working where farmers are educated and incentivised and the water quality has improved.

Do you agree that the Department should increase maximum penalties on summary conviction for causing pollution of a waterway or groundwater up to £50,000?

Yes

No ☒

DAERA are proposing to increase the fines to ensure consistency, the UFU would support the principle of consistency but proposes the fines in the Waste and Contaminated Land Order be brought into line with the Water Order with a maximum fine of £20,000.

The UFU believes that NIEA should focus more on practical guidance and advice for the various sectors to prevent pollution incidents from occurring in the first instance. There also needs to be adequate penalties developed to deter industry and NI Water from causing pollution incidents. Due to the cross-compliance system farmers can be easily penalised for potential breaches of legislation without even going to court. These penalties are based on a percentage of a farmers' basic payment therefore for most farmers these are likely to be substantial compared to those imposed by the courts for similar offences by other offenders. The UFU believes that NIEA needs to focus more on working with CAFRE and other organisations on educating and advising farmers.

Many stakeholders and the general public are unaware of the hidden costs of pollution incidents on farms. While there is a perception that the fines issued by the Magistrates Courts should be higher, many are unaware that in an agricultural situation a considerable penalty will more than likely to have been applied to the farmers Basic Payment Scheme (farm subsidies), clean-up costs, insurance costs, payment of NIEA costs and restoration costs in addition to any fines imposed by the Court. This can amount to tens of thousands of pounds in total and is not reported.

Would you agree with the potential for unlimited fines for those pollution offences that are heard at Crown Court?

Yes

No

The UFU is aware that the current legislation allows for unlimited fines for cases heard in the Crown Court and suggests there is no requirement to change.

Do you agree that DAERA should have a more flexible enforcement system with increased powers to introduce fixed and variable penalties to act as an immediate deterrent for minor to moderate breaches of legislation?

Yes

No x

Farmers are highly regulated through various pieces of legislation in terms of water protection. The UFU believes there is sufficient regulation in place to currently address agriculture and the water environment without the need for fixed and variable penalties. In addition to legislation, under the cross-compliance aspect of the Farm Sustainability Payment all farmers are required to comply with various environmental requirements and measures.

The UFU believe that the existing level of penalties applied for cross-compliance / farm sustainability standard breaches is completely disproportionate to the breaches from which they arose. This often results in severe penalties being applied to farmers for very minor breaches and even when no water quality issues are detected. While the UFU recognise that the penalty mechanism was largely determined by the EC in the past, there are now opportunities for DAERA and NIEA to revise the current penalty system to make it fairer and more transparent for local farmers. It is also unfair that farmers are often penalised twice for water pollution related issues through area payment penalties and through the Courts. The UFU do not believe this is appropriate or proportionate in many cases. The UFU are concerned that farmers are easy targets for environmental inspectors through the cross-compliance system. This system also means that penalties are likely to be substantial compared to those imposed by the courts on other offenders.

The UFU do not believe that the ability to impose fixed and variable penalties will provide any additional benefit in terms of water protection from agricultural sources and therefore is opposed to this option. The cross-compliance system, soon to be replaced by Farm Sustainability Standards, is already operating in a similar manner to fixed / variable penalties therefore fixed and variable penalties are not required in the agricultural sector. The UFU is strongly opposed to this proposal.

The UFU has many examples of unscrupulous NIEA inspectors harassing farmers over the years and using the cross-compliance system to penalise farmers for minor breaches. There are genuine concerns that if given more powers without the oversight of the Courts system that there could be abuse of such powers by some staff. In addition, fixed and variable penalties would effectively duplicate the current cross-compliance / Farm Sustainability process and potentially see farmers fined twice for the same low-level offences.

DAERA Marine and Fisheries Bill Team

From: DAERA Marine and Fisheries Bill Team

Sent: 10 April 2026 12:38

Subject: Fisheries and Water Environment Bill and Protection of the Water Environment Consultations Summary & Analysis

All,

Thank you to everyone who took part in the consultations on the Fisheries and Water Environment Bill and Protection of the Water Environment. We appreciate the time, effort and contributions provided.

Responses have been extensively reviewed and analysed, and we can now share a copy of our analysis with you.

The attached document has also been published online today and is available to view on the DAERA website via the attached link.

[Summary of the responses to the Consultations on The Fisheries and Water Environment Bill and The Protection of the Water Environment | Department of Agriculture, Environment and Rural Affairs](#)

Kind regards,

Fisheries and Water Environment Bill Team



Fisheries and Water Environment Bill

Responses to Consultations

Analysis & Summary



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Email: MarineandFisheriesBillTeam@daera-ni.gov.uk

Telephone: 0300 200 7860

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- **Dial** 18001 028 9056 9708

Post: Fisheries and Water Environment Bill Team

Marine and Fisheries Division

Department of Agriculture, Environment and Rural Affairs (DAERA)

Ground Floor West

Clare House

303 Airport Road West

Belfast

BT3 9ED

Executive Summary



Executive Summary

Background and Purpose

The Department of Agriculture, Environment and Rural Affairs (DAERA) conducted two separate consultations which sought stakeholder and public views on policy proposals central to the development of a new **Fisheries and Water Environment Bill**.

The first was a 10-week public consultation (3 July – 11 September 2025) on policy proposals for the fisheries and aquaculture elements to inform the Fisheries and Water Environment Bill, aimed at modernising legislation governing inland and sea fisheries, and aquaculture in Northern Ireland. This consultation sought feedback from stakeholders and the public on policy to inform the development of primary legislation. The Bill intends to support sustainable fisheries management, promote aquaculture, enhance enforcement mechanisms, and ensure environmental protection through an ecosystem-based approach.

A total of **53 formal responses** were received, with additional commentary from 9 emails. Two late submissions were excluded from analysis.

The second was an 8-week public consultation (11 September – 6 November 2025) around regulatory and policy frameworks to protect water quality, ecosystems and our wider environment.

A total of **63 formal responses** were received, with additional commentary from 2 emails.

Consultation Methodology

The first consultation posed **26** structured questions, allowing for quantitative (Yes/No) responses and qualitative comments. Responses were analysed across three categories: Individuals, Organisations, and Unknown status. The analysis included thematic grouping of comments and statistical breakdowns to identify trends and concerns.

The second consultation had **12** structured questions following the same format as the first.

Respondents were offered the option to give their views online through the Citizen Space platform, via email or by post. (All correspondence received in response to both consultations was via Citizen Space and Email - no responses were received by post.)

Key Findings - Policies

1. Inland Fisheries and Aquaculture

- Broad support for DAERA's regulatory powers to conserve fish stocks, protect inland waters, and publish an Inland Fisheries and Aquaculture Policy Statement.
- Respondents emphasised the need for transparent governance, scientific data sharing, and inclusive stakeholder engagement.
- Concerns raised included potential overregulation and a need for strategic clarity.

2. Recreational Inland Angling

- High level of support for DAERA retaining powers to manage fishing rights and regulate angling.
- Angling was seen as beneficial for community wellbeing and inclusivity.

3. Commercial Inland Fishing

- High level of support for Fishery Management Plans (FMPs) and over 86% agreement with the proposal to include technical conservation measures in secondary regulations.
- Stakeholders advocated for evidence-based planning, adaptive management, and clear enforcement triggers.

4. Aquaculture Licensing

- Lower level of support for inland aquaculture licensing compared to that for marine-based operations.

- Respondents called for streamlined, tiered licensing, environmental safeguards, and sector engagement.

5. Enforcement Powers

- Very high level of support for standardising enforcement powers across a range of offences, raising the maximum penalties for certain offences and introducing administrative penalties.
- Stakeholders stressed the need for visible enforcement, cross-border co-operation, and structured penalty systems.

6. Sea Fisheries Permitting

- High level of support for introducing permitting provisions in the Northern Ireland zone.
- Emphasis on ecosystem protection, spatial restrictions, and transparent permit conditions.

7. Protection of the Water Environment

- Very high level of support for the proposed measures in relation to protection of the water environment.
- Stakeholders stressed the importance of ensuring that the requirements of the Water Framework Directive are met.
- Support for applying the 4 pillars which underpin the Lough Neagh Action plan to all waterways and using this approach to develop River Basin Management Plans.

Impact Assessment Overview

Regulatory Impact Assessment (RIA)

- Majority of respondents felt that the RIA did not sufficiently describe potential impacts.
- Criticism included lack of financial data, underestimated socio-economic effects, and insufficient stakeholder engagement.

Equality and Human Rights (EQIA)

- More than half of respondents agreed the proposals did not disproportionately impact Section 75 groups.

Rural Needs (RNIA)

- Two thirds of respondents felt that additional impacts could have been included.
- Issues raised included economic vulnerability, underrepresentation, and planning barriers.

Strategic Environmental Assessment (SEA)

- Responses were evenly split (50/50) on whether the SEA sufficiently described environmental impacts.
- There were calls for deeper analysis, recognition of climate resilience, and ecosystem-based planning.

Conclusion and Departmental Position

The consultations revealed overall broad support for modernising fisheries and water environment legislation, with strong endorsement of DAERA's regulatory role.

Key themes in responses included:

- Need for transparent, inclusive governance.
- Desire for cross-departmental collaboration.

- Importance of ecosystem-based management, data-driven policy, and balanced regulation.

DAERA has reviewed responses to both consultations and captured a comprehensive list of the qualitative feedback provided by respondents to ensure that, regardless of whether it was indicated that a respondent agreed with the proposal or not, any caveats or cautions noted have been recorded and shared with the policy teams.

Teams were asked to either ‘defend’ or ‘amend’ policies based on consultation feedback. The high-level policies for translation into instructions for the Office of Legislative Counsel (OLC) remain as consulted upon. However, policy teams have acknowledged the important factors raised for consideration during transition and implementation. Where respondents urged caution, teams will aim to work to address these issues directly with the relevant sectors.

These were high-level consultations intended to inform the drafting of primary legislation. Any subordinate legislation to be prepared as a result of powers attained through the Bill will be developed with stakeholders and subject to further public consultation where required.

The Impact Assessments prepared for primary legislation are live documents and will be refined at key stages as the process progresses. As such they do not currently contain the level of detail expected of a final impact assessment. A final version of the Impact Assessments will be published once legislation is enacted.

**DAERA thanks all participants for their valuable contributions to
shaping this important legislation, which will help guide future policy and
implementation.**

CHAPTER 1

INTRODUCTION & OVERVIEW

Part 1

Introduction



Part 1 Introduction

1.1 Background to the consultations

These consultations sought views and comments from a wide range of stakeholders and the general public on policy proposals for inclusion in a Fisheries and Water Environment Bill - a Bill to make provision in relation to fishing and aquaculture in the marine and aquatic environment¹; and for connected purposes².

The marine and aquatic environment includes:

- (a) the natural beauty or amenity of marine or coastal areas, or of inland waters or waterside areas,
- (b) features of archaeological or historic interest in those areas, and
- (c) flora and fauna which are dependent on, or associated with, a marine or coastal, or aquatic or waterside, environment.

1.2 The Consultation Exercises

A 10-week public consultation on policy proposals was launched on 3 July 2025 via Citizen Space and closed on 11 September 2025. This policy suite centred on the fisheries and aquaculture policy proposals to inform the drafting of a Fisheries and Water Environment Bill.

A second separate policy consultation on the Protection of the Water Environment was launched on 11 September 2025 via Citizen Space and closed on 6 November 2025. The focus of this policy consultation was pollution deterrence, non-compliance and effective enforcement mechanisms, in order to prioritise the protection and restoration of our water environment and to deliver improvements to water quality.

These policy proposals will apply to Northern Ireland only. Some of the proposals will not apply to the Foyle and Carlingford catchments, where separate legislation will be required for any policies and regulatory functions under the responsibility of the Loughs Agency. The Loughs Agency is being kept informed throughout the policy

¹ Fisheries Act 2020

² Short title and descriptor of the Bill will be refined as the drafting process proceeds

development process, with a view to developing an amendment to the Foyle Fisheries Act 1952 on a reciprocal basis with North South Agreement.

DAERA continues to engage with stakeholders and partners in the fisheries and aquaculture sector, whose support will remain essential in delivering the policy outcomes outlined in the consultations. Through our combined actions, we can introduce interventions to help achieve our overall objectives.

As our policies will impact upon a range of partners and stakeholders, it has been of utmost benefit to design the policies in conjunction with those partners. Co-design has ensured that the problems are understood, and the proposed policy options are informed by multiple perspectives. We are grateful to the sector representatives who have engaged with policy teams in the development of the resulting policy suite.

These proposals relate to policies for primary legislation and further policy development will be necessary to inform any subsequent secondary legislation. DAERA intends to make best use of the co-design approach during policy development.

1.3 Summary

In the feedback received through both Citizen Space and email, there was broad support for the policy proposals in both consultations, with the majority receiving strong support. All comments and concerns raised have been considered by relevant policy areas and a departmental response has been provided in **Parts 4 & 6 (Analysis of Consultation Responses)** of this document under each relevant policy subheading. DAERA appreciates the time taken by stakeholders to respond in detail to the consultations.

Qualitative analysis of responses

The qualitative analysis of the reasons given by respondents for either their endorsement of the policy proposal and their suggestions, or those which countered the report with alternative views, showed that there was an engaged and keen audience for the consultations.

The reasons provided revealed a consistency of rationale, and broad topics emerged that allowed for responses to be grouped under appropriate themes.

Quantitative analysis of responses

Overall, the quantitative responses to the consultations showed support for the policy recommendations and proposals. Percentages are shown on the following tables. Graphs included in the body of the report do not contain numbers, in line with the practice of suppression to prevent disclosure.

Consultation 1

Quantitative Analysis of the Policy Proposals for the Fisheries and Water Environment Bill	Yes	No	Total No. of Yes/No Responses³
Inland Fisheries and Aquaculture			
Question: Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?	75%	25%	44
Question: Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?	95.7%	4.3%	46
Question: Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?	89.4%	10.6%	47
Question: Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?	87.2%	12.8%	47

³ The % Yes/No are calculated as a % of those who answered the question. Note that not all respondents answered all questions.

Fisheries and Water Environment Bill – Consultations Responses
Chapter 1 - Part 1 Introduction

Question: Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?	54.3%	45.7%	46
Inland Fisheries – Management of Recreational Inland Angling			
Question: Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?	80%	20%	45
Question: Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?	87%	13%	46
Inland Fisheries – Management of Inland Commercial Fishing			
Question: Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?	82.2%	17.8%	45
Question: Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?	86.7%	13.3%	45
Aquaculture			
Question: Do you agree with the proposals for the licensing of inland aquaculture operations?	61.9%	38.1%	42
Question: Do you agree with the proposals for licensing of marine-based aquaculture operations?	82.1%	17.9%	39
Enforcement – Inland and Sea Fisheries			
Question: Do you agree that DAERA should standardise enforcement powers for fisheries	86.3%	13.7%	51

Fisheries and Water Environment Bill – Consultations Responses
Chapter 1 - Part 1 Introduction

officers in Northern Ireland (NI) and bring these into line with the rest of GB and RoI?			
Question: Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?	92%	8%	50
Question: Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?	90%	10%	50
Question: Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?	85.7%	14.3%	49
Question: If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?	<i>(Open Ended Question)</i>	<i>(Open Ended Question)</i>	21/53 <i>respondents provided a qualitative answer</i>
Question: Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?	76.2%	23.8%	42
Permitting of Sea Fisheries Activities in the Northern Ireland Zone			
Question: Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland zone?	76.7%	23.3%	43
Draft Regulatory Impact Assessment (RIA)			
Question: Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately	35.1%	64.9%	37

Fisheries and Water Environment Bill – Consultations Responses
Chapter 1 - Part 1 Introduction

describes the potential impacts of the proposals?			
Question: Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?	66.7%	33.3%	36
Equality and Human Rights Impact Assessment			
Question: Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?	57.1%	42.9%	42
Question: Are there any potential impacts of the proposals on specific groups which we may not have anticipated?	48.6%	51.4%	37
Rural Needs Impact Assessment (RNIA)			
Question: Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?	41%	59%	39
Question: Are there any potential impacts of the proposals on rural communities which we may not have anticipated?	64.9%	35.1%	37
Environmental Impact Assessment (SEA)			
Question: Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?	50%	50%	38
Question: Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?	67.6%	32.4%	34

Consultation 2

Quantitative Analysis of the Policy Proposals for the Protection of the Water Environment	Yes	No	Total No. of Yes/No Responses⁴
Protection of the Water Environment			
Question: What are your views on extending the 4 pillars which underpin the Lough Neagh Action plan to all waterways and using this approach to develop River Basin Management Plans?	<i>(Open Ended Question)</i>	<i>(Open Ended Question)</i>	52/63 respondents provided a qualitative answer
Question: Do you agree that the Department should increase maximum penalties on summary conviction for causing pollution of a waterway or groundwater up to £50,000?	81.4%	18.6%	59
Question: Would you agree with the potential for unlimited fines for those pollution offences that are heard at Crown Court?	90.2%	9.8%	51
Question: Do you agree that DAERA should have a more flexible enforcement system with increased powers to introduce fixed and variable penalties to act as an immediate deterrent for minor to moderate breaches of legislation?	83.6%	16.4%	55
Draft Regulatory Impact Assessment (RIA)			
Question: Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?	56.8%	43.2%	44
Question: Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?	70.5%	29.5%	44

⁴ The % Yes/No are calculated as a % of those who answered the question. Note that not all respondents answered all questions.

Equality and Human Rights Impact Assessment			
Question: Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?	80%	20%	40
Question: Are there any potential impacts of the proposals on specific groups which we may not have anticipated?	22.5%	77.5%	40
Rural Needs Impact Assessment (RNIA)			
Question: Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?	59.6%	40.4%	47
Question: Are there any potential impacts of the proposals on rural communities which we may not have anticipated?	43.2%	56.8%	44
Environmental Impact Assessment (SEA)			
Question: Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?	66.7%	33.3%	42
Question: Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?	45%	55%	40

Part 2

Overview of Consultation Responses



Part 2 Overview of Consultation Responses

2.1 Overview

67.9% of responses to the first public consultation were received via a consultation survey hosted on the Citizen Space platform. In recognition of the fact that not all sections of society have access to or the ability to complete surveys online, responses were also accepted via email or in writing. In total, **53** responses to the consultation were received; **36** responses were submitted via the **Citizen Space** platform and **17** responses directly to the Fisheries and Water Environment Bill Team via **email**. A further **9 emails** were received containing information in relation to the Fisheries and Water Environment Bill Consultation, but not directly answering the specific questions asked and analysis of these is included in Part 5 - Conclusion to first consultation. 2 email responses were received after the closing date and therefore they have not been included in this analysis.

Of the 53 responses received (via Citizen Space & email), 34 of the respondents indicated that they were representing an organisation. 8 declared they were an individual's personal response and 11 did not provide any indication as to their status. It should be noted that respondents to public consultations are self-selecting and not a specifically selected diverse and representative focus group. Their feedback has, however, been used to complete the qualitative analysis of responses.

In total **63** responses were received in reply to the second consultation on The Protection of the Water Environment - **41** (65.1%) via the **Citizen Space** platform and **22** by **email**. A further **2 emails** were received containing information in relation to this consultation, but not directly answering the specific questions asked and analysis of these is included in Part 7 - Conclusion to 2nd Consultation.

Of the 63 responses received (via Citizen Space & email), 41 of the respondents indicated that they were representing an organisation, 13 declared they were an individual's personal response and 9 did not provide any indication as to their status.

The format of some of the e-mail responses varied and did not necessarily follow that of the Citizen Space questionnaire and therefore these were analysed and

allocated to the relevant question where possible so that we fully took on all comments submitted.

This report provides an analysis of the findings from the responses received and develops a thematic framework across key areas to illustrate the depth and breadth of perspectives and viewpoints submitted to the consultation. Consultation questions and responses produced quantitative and qualitative information. This report presents an analysis of both types of information.

It should be noted that the quotes or views expressed in this report are those of the respondents to the consultation exercise and are not necessarily shared by DAERA or any other Northern Ireland department.

Part 3

Methodology



Part 3 Methodology

The consultation documents posed separate questions (26 in the first one and 12 in the second), giving the option for Yes/No responses for most, alongside additional comment boxes to provide respondents with the freedom to expand on specifics in relation to each question. This provided a wealth of data that could be analysed both from a quantitative (mathematical and statistical) perspective, and from a qualitative (thematic, subject and content) perspective.

3.1 Quantitative Analysis

All but one question in each report provided an opportunity to produce a high-level breakdown of the simple response to a 'Yes' or 'No' answer to the question.

The quantitative analysis data is presented in the following format:

- A **bar chart** illustrating the breakdown of the 'Yes' and 'No' answers to the question.
- **Respondents⁵ representation** (Organisation, Individual, Unknown).
- **Responses** (Yes, No, Not Answered).

3.2 Qualitative Analysis

Each question additionally offered the respondent the opportunity to provide more information as to why they might have responded 'Yes/No' to any question with an "Add Comment" box available beneath each question. Varying numbers of respondents took the opportunity to make such a contribution and offered commentary as well as alternative approaches, suggestions, etc depending on the question asked.

There was significant variation in the level of detail, length and style of the additional comments received. Whilst some responses were succinct, there were others that were particularly detailed and many that were repeated by several respondents/organisations. All responses were fully considered and included in the analysis.

⁵ 'Respondents' is the number of actual responses submitted in answer to the question from a total of 53 responses received.

CHAPTER 2

FISHERIES AND WATER ENVIRONMENT BILL – FISHERIES AND AQUACULTURE

Part 4

Analysis of First Consultation Responses



Part 4 Analysis of First Consultation Responses

This section summarises the quantitative and qualitative responses to the 18 questions posed in the first consultation document. It is divided into sections based on each policy proposal for ease of reference.

(The 8 Impact Assessment questions have been analysed separately in Part 8 of this document).

These sections are:

• <u>Inland Fisheries & Aquaculture</u>
• <u>Inland Fisheries - Management of Recreational Inland Angling</u>
• <u>Inland Fisheries - Management of Inland Commercial Fishing</u>
• <u>Aquaculture</u>
• <u>Enforcement – Inland and Sea Fisheries</u>
• <u>Permitting of Sea Fisheries Activities in the Northern Ireland Zone</u>

Analysis of every question asked within each section of this chapter includes (where possible):

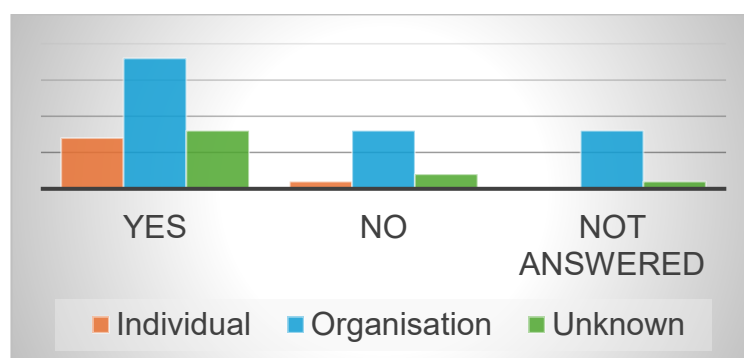
- The question,
- A bar chart showing the quantitative breakdown of those who responded Yes/No,
- A qualitative summary of the issues and themes raised within the additional comments by consultees, and
- A Departmental reply (where applicable) from the policy areas concerned.

4.1 Inland Fisheries and Aquaculture

Question:

Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?

Quantitative analysis of question:



Qualitative analysis of question:

As detailed in the line chart above, there was strong support in favour of the objectives proposed for inland fisheries and aquaculture with 75% saying 'Yes', they agreed with them.

Additional comments from respondents emphasised the importance of long-term ecological health and the need for proactive conservation efforts. There is a parallel demand for robust monitoring, regulation and accountability that was raised by several respondents, and some consultees stressed the requirement for collaboration, openness and transparency between the department and stakeholders in relation to future policy making in these areas. Responses also reflect a desire for a coherent strategy, alignment with national frameworks, and the need for more modern, adaptive methods.

Further comments on the proposed objectives included calls for the ecosystem objective to be strengthened and reflect positive impacts from aquaculture operations; and that under the scientific objective, data used should be available and relevant.

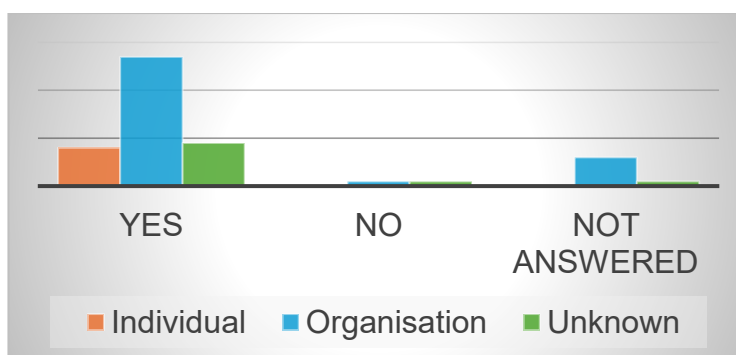
Several respondents suggested a desire for independent, transparent oversight to ensure accountability and balanced decision-making. Access to supporting robust evidence was highlighted.

Response - The Department will consider the proposed objectives with a view to clarifying and strengthening the statements before adopting them. Generally, specific actions, monitoring targets and baselines do not need to be established in primary legislation and any subordinate legislation prepared to address these issues would be subject to co-design and further consultation on this level of detail.

Question:

Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?

Quantitative analysis of question:



Qualitative analysis of question:

An overwhelming majority of respondents (95.6%) who answered this question agreed it would be beneficial to publish an Inland Fisheries Policy Statement, provided the process was open and transparent with clear accountability and responsibilities ensuring mutual trust for all. This level of consensus highlights a shared recognition of the value and need for a policy framework which supports future policy development and provides clear direction.

The fishery objectives will be central to the development of the policy statement, ensuring it reflects the priorities and concerns of respondents. Concerns raised highlighted a desire for a more holistic approach that included better consideration of other economic, environmental and social opportunities.

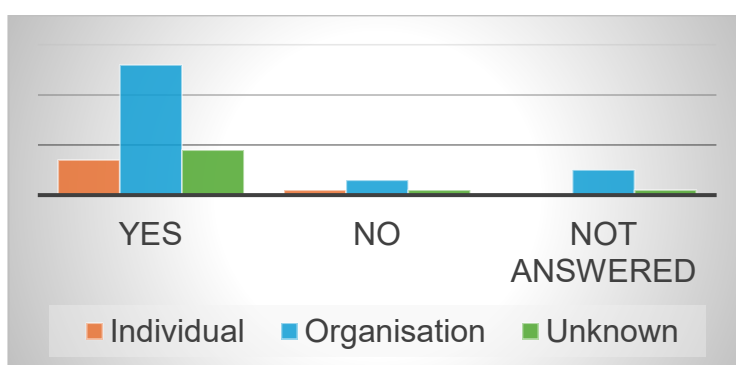
Calls for robust structures to be put in place, with continuous improvement and regular reviews were apparent in the responses and again consultees stressed the need for inclusive engagement, better communication, and collaboration between the Department and stakeholders. Overall respondents felt this proposal would have positive impacts and could offer much needed consistency and stability to future policy development, restoring trust and providing long-overdue environmental direction.

Response - The Department welcomes the broad support for this approach and will commit to the development and publication of an Inland Fisheries Policy Statement as a framework for inland fisheries management and policy development. We will seek to establish collaborative approaches to policy development with clear targets and periodic review.

Question:

Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?

Quantitative analysis of question:



Qualitative analysis of question:

89.3% of respondents to this question agreed that DAERA should have regulation making powers for the purposes of conserving, improving or restoration of inland fish stocks. Many favoured a legislative approach that was science led, transparent, timely, collaborative with stakeholders and provided for suitable oversight and scrutiny.

The need for stronger enforcement to be put in place was emphasised, with adequate resources allocated, and regular checks and balances required to ensure fair and effective regulation. Several believed this would reflect a strong commitment to ecological restoration, sustainable practices, and integrated environmental benefits.

Support was noted for scientific data to be improved, adapted and fully utilised to allow for better, flexible, evidence-based decision making and for the need for more innovation and cost-effective solutions that align economic and environmental goals.

Stakeholder engagement, the importance of inclusive governance, cross-departmental collaboration, and support for community-led initiatives was considered important in several responses.

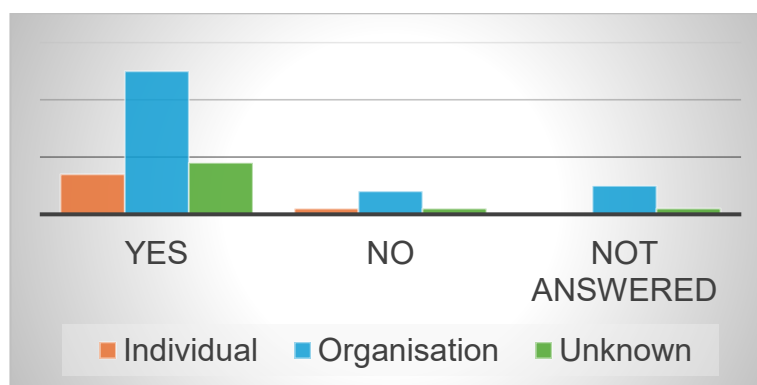
Concerns over current policy positions and outcomes were raised - i.e. the current status of many key species, the potential conflict between developing a fishery and protecting the fish stocks. The difficulty of managing a mobile species with differing ownership claims was noted.

Response - The Department will retain regulation making powers for the conservation, improving and restoration of inland fish stocks. We agree that the delivery of effective and meaningful regulation on these issues will be science led and dependent on the effective collaboration with all stakeholders and the setting of clear management outcomes.

Question:

Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?

Quantitative analysis of question:



Qualitative analysis of question:

With an 87.2% majority, there was strong support for regulation making powers for the purpose of protecting inland waters from the effects of fishing and aquaculture, again with the condition that regulation making was appropriate with clear safeguards (evidence-based, collaborative and subject to scrutiny).

From the additional comments and a common theme amongst many respondents who answered this question was that these regulatory powers must be backed up with a commitment to enforce them, have clearer legislative frameworks and policy coherence.

Some respondents called for balanced regulation and safeguards to be put in place to protect ecosystems without unfairly burdening low-risk stakeholders.

Many answers indicated the need for more transparency, accountability and better communication channels between the government agencies and stakeholders.

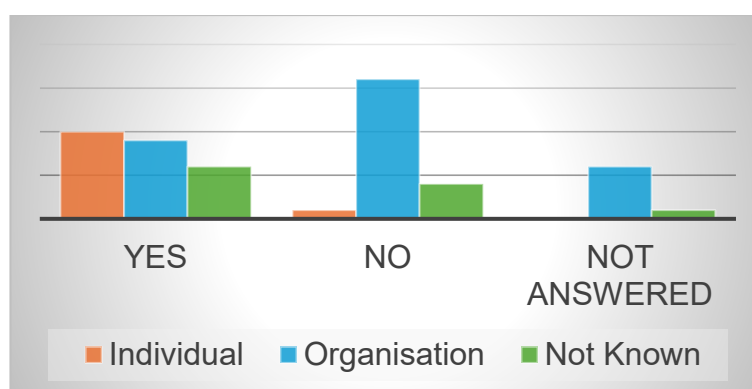
Some responses raised concerns over the need for a better means of raising issues of concern (including pollution) and that the Department as the permitter of the fishing activity needs enforcement ability. Some respondents queried why only damage from fishing activity was included in this question.

Response - The Department will seek to retain powers to regulate activities in a way that protects inland waters from the effects of fishing or aquaculture.

Question:

Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?

Quantitative analysis of question:



Qualitative analysis of question:

The split between those respondents who answered Yes/No to this question was much more evenly distributed, with 54.3% of answers for Yes and 45.7% for No. Many who disagreed clarified in comments that such regulations may be needed to support sustainable development but sought strong safeguards to avoid potential compromising on broader public and nature protection needs.

In particular, some respondents considered that the economic, social and environmental benefits of the aquaculture sector were not being realised and pointed to the need for a development policy. Others considered that promotion would result in prioritising the health of farmed fish over wild stocks.

Those who agreed that DAERA should have regulating powers in this area showed support for growth and investment in the fisheries and aquaculture sectors, providing it aligned with sustainability and public benefit. Answers also underscored the need

for the department to provide adequate resourcing and funds to enable them to address the concerns of these sectors and put action plans in place.

Further comments documented in response to this question reflected a desire for open, accountable governance with independent oversight and inclusive stakeholder participation and noted that future promotion of aquaculture or commercial fishing should be tied to demonstrable ecological recovery and long-term sustainability.

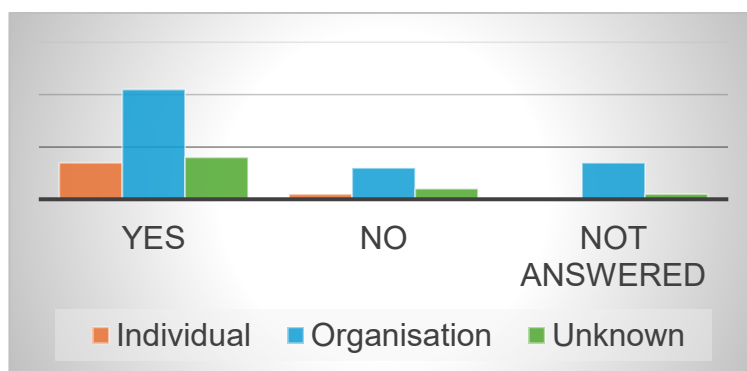
Response - The Department notes that any regulation supporting sustainable commercial development must align with wider policy objectives, follow the correct regulatory process and ensure that applications are assessed within the legal framework to protect the long-term environmental sustainability of fish and aquaculture activities.

4.2 Inland Fisheries – Management of Recreational Inland Angling

Question:

Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?

Quantitative analysis of question:



Qualitative analysis of question:

A high number of respondents (80%) agreed that DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling.

Responses were broadly supportive of a public angling estate, and many respondents identified a role in delivering and developing access to recreational fishing through collaborative management with angling clubs and stakeholders. Those responses in disagreement cited concerns over DAERA's leadership, enforcement and development interest, feeling development should sit with a different organisation. Concerns also identified DAERA roles in agriculture and environment management potentially conflicted with provision of angling opportunities.

Clarity on the ownership of fishing rights was also raised. Responses supported the development of recreational angling as it offers significant social and community benefits, encouraging participation in the activity as a sport to foster wellbeing and inclusivity, and ensuring shared responsibility and effective management.

Crucially, those in agreement felt that integrating conservation safeguards and biodiversity goals into angling practices would support long-term sustainability, helping to reverse species decline and eliminate harmful or illegal activities.

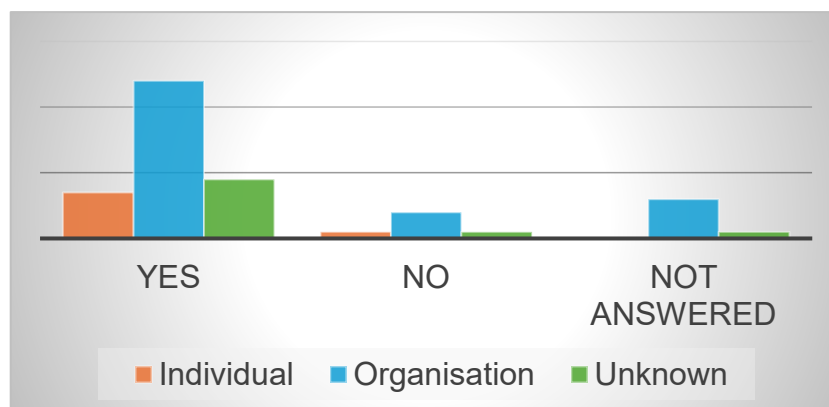
Underpinning all these issues is a demand for greater public accountability, with scrutiny over taxpayer-funded initiatives and a push for more efficient, justified use of resources.

Response - DAERA proposes to retain the powers to acquire and manage fishing rights and to continue to provide a public angling estate. Work is already underway to explore improved delivery models for recreational fisheries through better coordination, stronger partnerships, and effective enforcement. We will consider how transparency over the ownership of fishing rights might be improved, however it is important to note that DAERA is not the authority responsible for determining ownership claims.

Question:

Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?

Quantitative analysis of question:



Qualitative analysis of question:

With 87% of respondents agreeing that DAERA should retain regulation making powers for the purposes related to angling in Northern Ireland, many of these expressed the need for effective fisheries governance requiring robust enforcement, inclusive collaboration, and evidence-based management. The need for structural reform, and that management of recreational angling should lie with another Department, was also raised. Regulatory powers must be visibly upheld, with stronger deterrents, increased police involvement, and improved public reporting to build trust and compliance.

Respondents highlighted that rules needed to be correctly enforced and should be developed in conjunction with the holders of the fishing rights, anglers and other government departments. They felt that the rules must be subject to review and amendment in response to any new evidence and changing environmental conditions. Precautionary closures as a possible response to stock collapses, disease or other external factors were suggested. Other respondents identified the need for gear disinfection between fishing areas, and that a review of the Fish Dealers Licence and associated register was needed.

These comments reinforce the need to ensure good governance, with regulation making processes that are robust, inclusive and fairly enforced.

Transparent stakeholder engagement is important to consultees, ensuring legitimacy and shared responsibility. Sustainable angling practices must balance public access with ecological protection, using targeted restrictions and safeguards to prevent cumulative impacts. Similarly, some feel, adaptive management tied to scientific evidence would allow DAERA to respond to environmental pressures, ensuring resilient and responsive fisheries policy.

A more modern, responsive approach to fisheries management would be welcomed, which must be grounded in transparency, clear targets, and flexible regulation. Where benchmarks are not met, some respondents feel that mandatory catch-and-release policies or temporary river closures could offer vital safeguards to protect vulnerable fish populations, reflecting a commitment to adaptive, data-driven regulation.

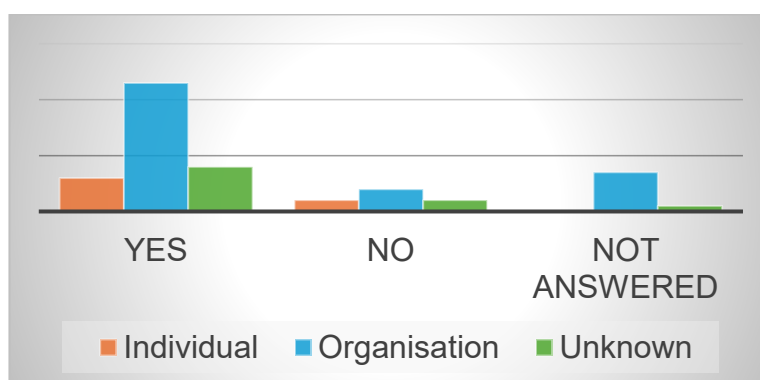
Response - DAERA will seek to retain the power to regulate for recreational fishing to ensure sufficient protection for the fish and aquatic habitat. Going forward, DAERA will ensure efficient management of recreational fisheries and notes the importance of coordination, stakeholder engagement and effective enforcement. DAERA will deliver coordinated management of recreational and commercial fisheries, as well as the habitat they depend on.

4.3 Inland Fisheries – Management of Inland Commercial Fishing

Question:

Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?

Quantitative analysis of question:



Qualitative analysis of question:

There is a high level of support for the ongoing use of Fishery Management Plans (FMP) (82.2%) as a beneficial tool for managing commercial fisheries.

Responses highlighted that FMPs should provide structure and clarity for fisheries management. Properly managed, they should, on the basis of meaningful stakeholder engagement, set clear, measurable targets and objectives and have robust monitoring and compliance and contribute to achieving overarching strategic objectives, including integrated management commitments.

Those in disagreement with the need for FMPs highlighted the need for greater regulation, identified concerns with the current state of inland fish stocks, including concerns over the private ownership and operation of commercial fisheries and sought greater regulatory protection. Some respondents sought a cessation of commercial fishing in favour of recreational activity.

There were mixed responses citing private commercial fishing rights, both how these rights can be protected, and how private fisheries can be enhanced, while ensuring that commercial exploitation is sustainable and managed alongside recreational fishing.

Consultees detailed how they thought this would help to ensure the sustainable management and restoration of fisheries, which is essential to implement robust enforcement and protection measures that prevent overfishing and poaching, with clear triggers for responsive action. However, this must be underpinned by evidence-based planning and monitoring, including structured targets, transparent data collection, and annual stock assessments to guide adaptive management.

A commitment to integrated and sustainable approaches is vital to many in the sector, balancing ecological health with economic and social value, aligning marine and inland policies, and recognising angling as a public priority. Many feel effective delivery will depend on strategic governance and alignment from the department, ensuring FMPs can support broader environmental goals, legislative coherence, and transparent funding.

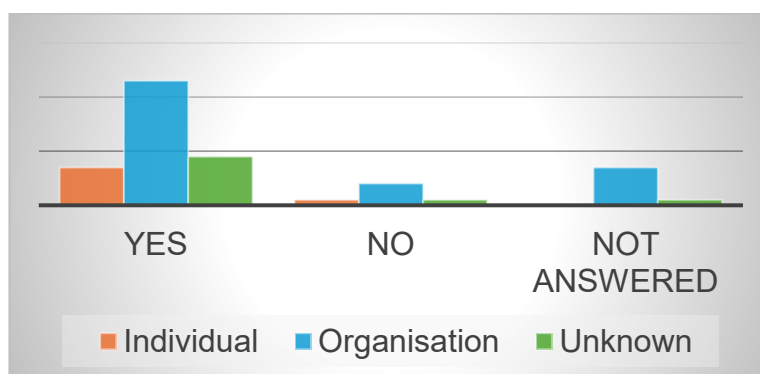
The consultation responses also highlighted significant policy ambiguity and legislative gaps, particularly around species classification and the regulation of private commercial fishing rights, underscoring the need for clearer legal definitions and enforceable frameworks. Additionally, there is a strong push for marine-inland policy integration, emphasising the need for consistent, ecosystem-wide management that bridges the divide between freshwater and marine environments.

Response - The Department welcomes the support for the FMP approach. The development and delivery of a FMP, based on a collaborative approach should address many of the concerns raised. This Bill and the adoption of high-level objectives for fishery management are an opportunity to review the existing FMPs for Lough Erne and Lough Neagh to ensure they are not only effective and enforceable but also fair, balanced, and responsive to the diverse interests of environmental, commercial, and community stakeholders.

Question:

Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?

Quantitative analysis of question:



Qualitative analysis of question:

86.7% of respondents to this question agreed that technical conservation measures should be placed in secondary legislation. There was recognition that this allows for the management framework to be flexible enough to be able to address arising issues, including new scientific knowledge, environmental changes, or emerging threats such as invasive species and contribute to the long-term sustainable management of the stocks and aquatic environment.

Secondary regulations would normally be subject to public consultation, would be based on the available science and seek the input from the fishing sectors, Non-Governmental Organisations and the wider public.

Stakeholder engagement and co-design underscore the importance of transparent decision-making, inclusive consultation, and collaboration across the board.

Finally, there is a clear emphasis on conservation and sustainable development, balancing ecological protection with enhanced angling opportunities and proportionate enforcement to deliver meaningful environmental outcomes.

Stakeholders urged a broader, multi-use vision for river and fisheries management that reflects diverse interests. The feedback in response to this question shows support for adaptive management and conservation triggers, such as automatic regulatory changes based on ecological indicators like juvenile fish densities, ensuring responsive and science-led policy.

The need for built-in enforcement mechanisms is very clear, with stakeholders urging that compliance measures be embedded within the regulatory framework.

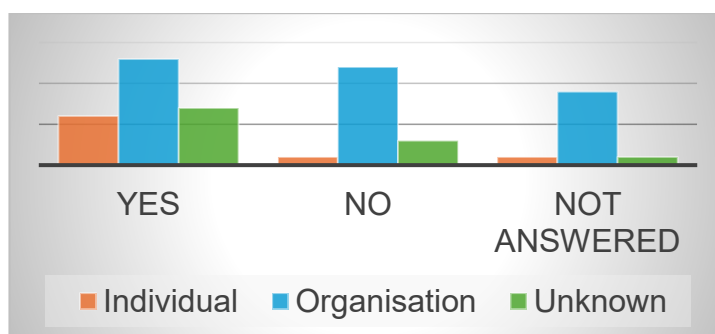
Response – DAERA welcomes the comments received and agrees that such a framework should be open to periodic review, using information from the delivery of FMPs. We propose to progress to seek powers to introduce and maintain and regulate technical conservation and protection requirements via secondary regulation to ensure that fisheries policy and delivery remains responsive, accountable, and aligned with ecological, recreational, and community interests.

4.4 Aquaculture

Question:

Do you agree with the proposals for the licensing of inland aquaculture operations?

Quantitative analysis of question:



Qualitative analysis of question:

Responses to this question showed there is a strong consensus (61.9%) on the need for robust regulation, with calls for rigorous licensing, strict enforcement, and comprehensive environmental safeguards. Stakeholders have demanded transparency and accountability, particularly in licensing decisions and compliance monitoring, alongside meaningful consultation with aquaculture and angling communities.

A more accessible and streamlined licensing system is endorsed by many who agreed, especially for small-scale initiatives, with a tiered approach to avoid overburdening low-risk activities. Legal and strategic alignment is noted, with

licensing expected to integrate with planning permissions and broader catchment-scale objectives, and views that aquaculture may be more appropriately regulated under agricultural frameworks.

The importance of environmental protection is underscored by the need for licences to align with Good Environmental Status (GES) and include standards for water quality, biodiversity, and disease control.

Some concerns around policy and governance highlight perceived disconnects with local operators, as well as a lack of coherent cross-agency policy, with a clear call for more stakeholder engagement that includes sector input.

Some respondents feel that the proposed removal of dedicated fish-culture licences could expose regulatory gaps and risks potentially undermining biosecurity, environmental monitoring, and enforcement.

Stakeholders advocate for a tiered and proportionate regulatory system that accommodates small-scale and community-led initiatives.

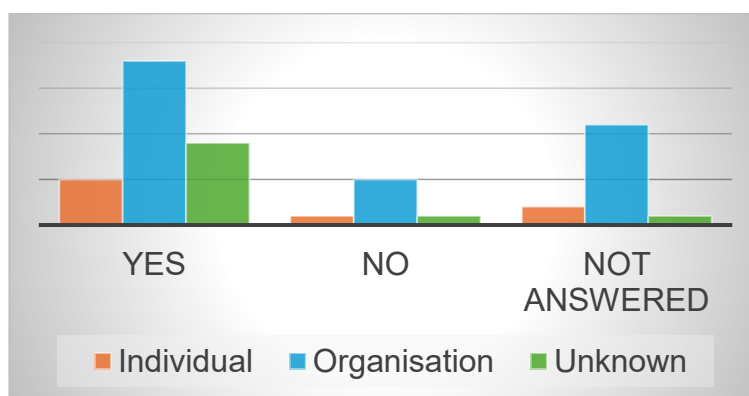
Response – In developing the proposal, the Department undertook a review of existing legislation and Fish Culture Licence (FCL) conditions to ensure no regulatory gap was being created and existing FCL holders were not losing any existing protections. This demonstrated that current legislation, which was not in place when the 1966 Act was introduced, now provides a framework for robust regulation of the sector, including aquatic animal health, water quality, and environmental protection. To ensure consistency and transparency, rather than remove the FCL, as was the original intent, the draft Bill will instead make changes to the existing licensing process, explicitly providing for transfer of licences and defining Aquaculture clearly within the Bill.

To address concerns around lack of technical input into the planning process, the Department will produce technical guidance for planning authorities in local councils to ensure consistency in consideration of planning applications and continue to act as a statutory consultee to give technical advice on all applications.

Question:

Do you agree with the proposals for licensing of marine-based aquaculture operations?

Quantitative analysis of question:



Qualitative analysis of question:

82.1% of participants were in support of the proposals for licensing of marine-based aquaculture operations, with widespread support and a clear demand for licensing system reform, including a streamlined, consistent, and investment-friendly approach that ensures a smooth transition from existing licences.

Environmental protection remains a priority for consultees, with many expecting licensing changes to include rigorous sustainability safeguards and alignment with the UK Marine Strategy. Some stakeholders expressed concerns about environmental protection and sustainability, citing risks to wild fish populations, ecosystems, and water quality from aquaculture operations, calling for a robust regulatory framework that includes enforceable licence conditions, quantitative limits, and automatic enforcement mechanisms to ensure compliance and protect the environment.

There is a strong emphasis on transparency and accountability, with demands for public reporting of all licence conditions, monitoring outcomes, and enforcement actions to build trust and ensure openness.

Response – The licensing of marine activities under the Marine and Coastal Access Act 2009 is a well-established regime. It includes strict environmental safeguards and controls, public consultation and publication when determining licence applications and transparent processes and timelines for applicants. It also includes a robust post-consent compliance and enforcement regime. The Department intends to create new licensing provisions suitable for all aquaculture sub-sectors that align with the principles of marine licensing under the Marine and Coastal Access Act 2009, but a full new licensing regime will not be possible in the time-period allotted to this Bill.

Within this Bill the FCL will be renamed an Aquaculture Licence, with Aquaculture clearly defined to allow all non-fish/shellfish Aquaculture operations (e.g. seaweed) to be licensed, thereby supporting future development of these industry sub-sectors. Clear provisions for transfer of licences will also be included.

Powers will be sought to introduce a licensing regime for marine based Aquaculture which aligns with the principles of marine licensing at the next available opportunity.

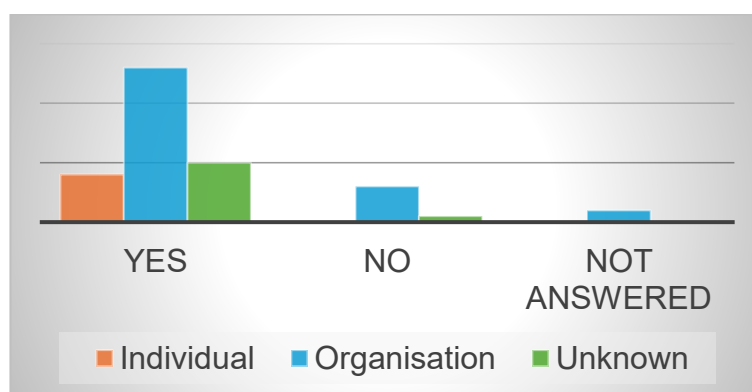
It is recognised that a dedicated Aquaculture Policy for Northern Ireland would address many of the issues raised by stakeholders in this consultation and provide clarity and direction for the sector. As part of these proposals, the Department will produce a dedicated Aquaculture Policy for Northern Ireland which will provide clarity and direction for future sustainable development of both inland and marine sub-sectors.

4.5 Enforcement – Inland and Sea Fisheries

Question:

Do you agree that DAERA should standardise enforcement powers for fisheries officers in NI and bring these into line with the rest of GB and ROI?

Quantitative analysis of question:



Qualitative analysis of question:

86.3% of consultation responses agree that DAERA should standardise enforcement powers for fisheries officers in Northern Ireland and bring these in line with the rest of Great Britain (GB) and Republic of Ireland (RoI), and many of these have highlighted the urgent need to strengthen this enforcement capacity and visibility, calling for more fisheries officers, improved contact, and greater on-the-ground presence, supported by private water bailiffs where appropriate.

However, some also feel that efforts to introduce such changes are constrained by resourcing and funding challenges, and long-term investment in specialist training, equipment, and digital infrastructure is essential.

Enhanced cross-border and interagency cooperation is also essential, with suggestions to learn from enforcement practices in the Republic of Ireland and involve police services more actively.

The importance of public awareness and education, advocating for enforcement that is balanced with outreach to build confidence and deter illegal activity is stressed in answers given to this question, with a strong emphasis on conservation and environmental protection, particularly the need to reverse declines in fish and

shellfish stocks through seamless protection across freshwater and marine environments. Finally, a clear strategic planning and evaluation framework is required, including ongoing oversight, cross-jurisdictional learning, and safeguards to ensure effective and accountable enforcement.

A small proportion of responses disagreed with the proposals above and have urged the Department to take a cautious approach to alignment with Great Britain and the Republic of Ireland, highlighting the complexity and potential unintended consequences for Northern Ireland, especially given the lack of harmonisation between the two jurisdictions.

Other responses suggested the expansion of offences and penalties within the fisheries and aquaculture enforcement regime, including new offences for failing to comply with seabird protection measures.

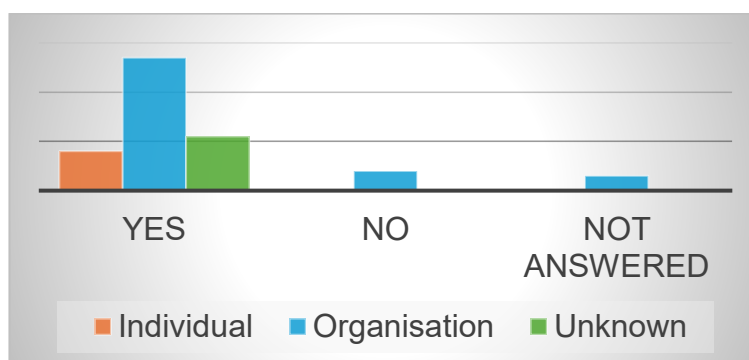
Consultee responses also advocate for independent oversight and accountability, proposing a biennial enforcement audit to review the use of powers, penalty levels, and conviction outcomes, ensuring the system remains fair, transparent, and fit for purpose.

Response – Providing officers with common enforcement powers will strengthen the enforcement capacity of the Department, by ensuring that fisheries officers, inland and sea, will have access to all enforcement powers currently set out in legislation under one framework, enabling greater confidence in prosecution for offences and ensuring an efficient enforcement regime. This would provide officers with broadly equivalent powers to their counterparts in the rest of the UK and the RoI.

Question:

Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?

Quantitative analysis of question:



Qualitative analysis of question:

92% of respondents have given support to the development of an effective and proportionate penalty system that acts as a real deterrent, particularly for repeat or serious offenders, with suggestions ranging from on-the-spot fixed fines to jail time.

A flexible and efficient enforcement toolkit is seen as essential for responding quickly to minor breaches while reducing pressure on the courts. However, many feel that the success of such a system depends on the visibility and capability of enforcement officers, who must be adequately resourced and trained to detect and evidence wrongdoing.

Ensuring transparency, fairness, and accountability is also critical to consultees, with calls for clear guidance, rights of appeal, and a publicly accessible penalty register. Penalties should be integrated with broader environmental goals, covering costs of investigation and restoration, and reinvesting revenue into enforcement and ecological outcomes.

Finally, a number of answers noted that training and system reform are needed, including judicial education on environmental impacts and updates to outdated regimes, to ensure the system reflects the diversity of offence types and regulated communities.

Concerns raised in response to this question supported the development of a structured and scalable penalty system, with predefined bands based on offence severity and automatic escalation for repeat violations, tracked through lifetime licence registration, ensuring transparency and public accountability.

There are calls for annual public reporting of administrative penalties and regular third-party audits to assess enforcement consistency and effectiveness.

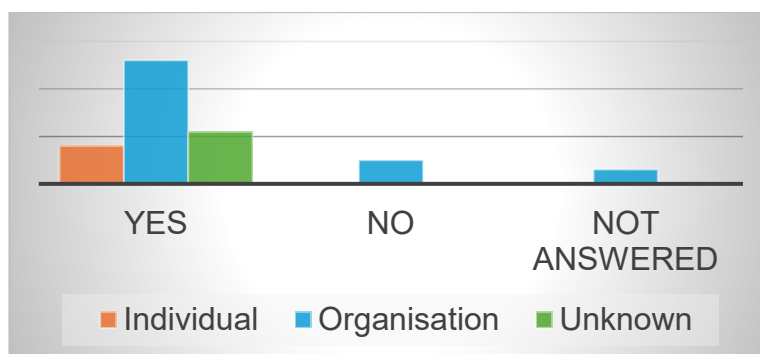
Emphasis is also placed on long-term compliance monitoring, with centralised tracking systems designed to deter repeat offences and promote sustained adherence to environmental standards.

Response – Administrative Penalties are an established enforcement tool to address low to moderate breaches of legislation and we propose a similar approach. This would be introduced through the development of subordinate legislation, which would be developed in consultation with the public at that stage.

Question:

Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?

Quantitative analysis of question:



Qualitative analysis of question:

Overall, 90% of responses to this question agreed with the proposals to allow the most serious offences to be indictable and supported the introduction of a stronger and more structured penalty system for serious or deliberate environmental offences, including escalating fines, licence consequences, and even jail time or business closure for repeat offenders.

Some answers said that penalties should be proportionate to the harm caused and reflect the public value of biodiversity, water quality, and food security and to ensure deterrence and accountability, the system must clearly differentiate between deliberate, harmful breaches and lower-level or accidental offences, with indictable offences defined by factors such as scale, persistence, and obstruction.

Fairness, consistency, and training are fundamental points raised by consultees, meaning enforcement officers and the judiciary are fully equipped to assess intent and apply penalties appropriately. This approach should aim to create a robust, transparent system that protects ecosystems while ensuring justice and proportionality.

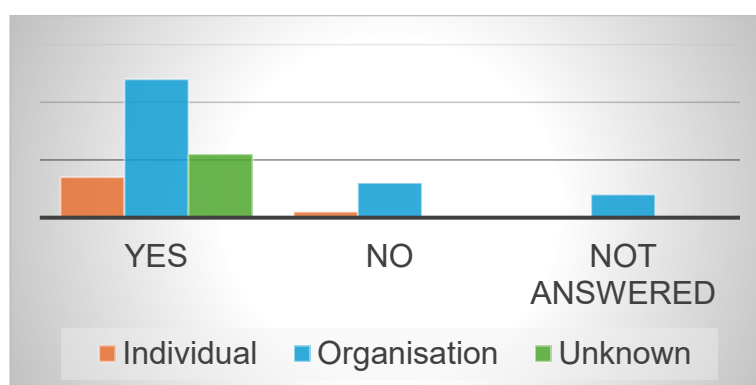
Other issues raised in response to this question recognised the existence of enforcement gaps, with calls to strengthen mechanisms to ensure consistent application of the law. These concerns are closely tied to the risk of disproportionate outcomes, with calls for penalties to be carefully calibrated to reflect the nature of the offence and the circumstances of the offender.

Response – Enabling indictable trials for serious offences would demonstrate that environmental protection is a priority and that accountability is being taken seriously.

Question:

Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?

Quantitative analysis of question:



Qualitative analysis of question:

85.7% of respondents to the consultation agreed that the Department should increase maximum penalties for certain offences related to sea fisheries activities as per above and in the main, supported the introduction of stronger and scalable penalties for serious or repeat environmental offences, with no maximum limits for the most harmful violations.

Within the comments there is a clear emphasis on proportionality and fair legal process, with penalties needing to be well-defined, appropriately scaled, and protected by safeguards to prevent misuse.

A more robust system is seen as essential for deterrence and ecosystem protection, particularly in cases involving threats to fish stocks, seabird populations, and overall marine health. Stakeholders have also called for enforcement consistency and jurisdictional alignment, suggesting harmonisation with Great Britain and Republic of Ireland and questioning the narrow focus on sea-based offences. There is also support for additional sanctions, such as fishing bans in affected waters or targeted restrictions on commercial operations, to reinforce accountability and environmental recovery.

Some of those who disagreed with this question, held the view that the proposed fines are excessive, while others advocate for significantly higher penalties, up to £250,000 or unlimited for serious environmental offences. This reflects a lack of consensus on what constitutes a fair and effective deterrent.

There is strong support for proportionality to economic context, with penalties scaled to the earnings or capacity of the offender to avoid a one-size-fits-all approach.

Additionally, those who disagreed with the proposals favour more targeted sanctions for repeat or deliberate offenders, such as escalating fines or even vessel seizure, reinforcing the support for a graduated enforcement system that reflects both the severity of the offence and the offender's history.

Response - Strengthening existing fines and penalties, will ensure that offences are properly addressed by the courts and that illegal activities face consequences

proportionate to their environmental impact, sending a clear message that environmental harm will not be tolerated.

Question:

If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?

The responses to the proposed penalty framework emphasise the need for strong and effective deterrents, including substantial fines, potentially exceeding £1 million, alongside prison sentences and bans for serious or repeat offenders.

To ensure proportionality and fairness, those who provided a comment to this question, stated that penalties must be clearly defined, scaled to the harm caused, and safeguarded against misuse, particularly in minor cases.

Calls for a more tiered and scalable structure is widely supported, allowing escalation based on offence severity, intent, and environmental or economic impact, with recognition that high fines like £50,000 may be excessive for lesser infractions. It has been noted that penalties should also facilitate cost recovery and environmental restoration, covering legal, investigative, and remediation expenses.

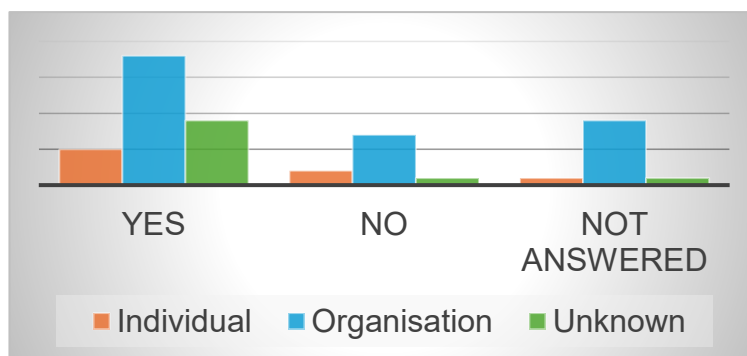
In conclusion the responses asked that evidence-based adjustments are encouraged through regular reviews of penalty ceilings to maintain deterrence in response to rising offences or persistent non-compliance.

Response – There is clear need to increase existing fines and penalties to bring them into alignment with those in other jurisdictions for a wide range of offences and ensure that non-compliant activities are appropriately penalised, reflecting their impact on the ecosystem.

Question:

Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?

Quantitative analysis of question:



Qualitative analysis of question:

76.2% agree that there are other activities which require regulation or new offences created in the Fisheries and Water Environment Bill, those noted include: -

- Strong support for comprehensive and aligned enforcement powers across all protection officers to ensure consistency, autonomy, and effective collaboration with agencies such as the Maritime and Coastguard Agency.
- Advocation for the creation and enforcement of new offences to address emerging threats in aquaculture, seabird disturbance, unreported bycatch or pollution, and non-compliance with emergency directions, with courts encouraged to consider environmental restoration in serious cases.
- The need to protect key habitats and species, particularly nursery zones, salmon rivers, and areas near river mouths, alongside stricter regulation of commercial fishing in Lough Neagh.
- Calls to strengthen oversight and independence include increasing water bailiff numbers and establishing an independent enforcement contact point, with some suggesting the cessation of funding for seawater fish farms due to environmental concerns.

- There is clear recognition of regulatory gaps and outdated systems, with criticism of inadequate pollution controls, poor fish stocking regulation, and obsolete caveats around waterpower, reinforcing the need for better enforcement of existing offences.

Among the comments of those who took part in this consultation but didn't answer Yes/No to this question, there is strong consensus on the need to close legislative and regulatory gaps, with suggestions that current vulnerabilities are allowing unlawful catch, ghost gear, bycatch concealment, and unauthorised river works to go unchecked. Activities such as diffuse pollution, sewage discharges, and intertidal shellfish picking are also flagged as under-regulated.

To address these issues, respondents suggest strengthening and expanding offences, including those targeting deliberate environmental harm, failure to report pollution or bycatch, and damage to public angling infrastructure.

Enhanced protection of sensitive areas and species is also called for, with emphasis on river mouths, nursery zones, game species, and seabirds, alongside tighter oversight of aquaculture and fish stocking. Ideas for modernising and integrating environmental law include aligning abstraction regulations with the Water Framework Directive (WFD) and enabling flexible updates to legislation.

Finally, it is felt that enforcement and oversight must be reinforced through elevated penalties for serious offences, increased water bailiff presence, independent reporting channels, and targeted action against high-tech poaching and jet ski misuse.

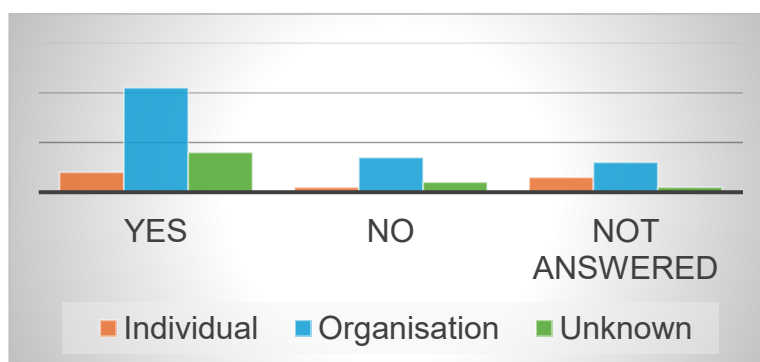
Response - To address concerns raised, the Department will review current powers to make subordinate legislation, noting the impact of any legislative and regulatory gaps on key habitats and species.

4.6 Permitting of Sea Fisheries Activities in the Northern Ireland Zone

Question:

Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland Zone?

Quantitative analysis of question:



Qualitative analysis of question:

With 76.7% answering yes to this question, there is strong support to introduce permitting provisions for sea fishing in the Northern Ireland zone, with proposals grounded in sustainability, ecosystem protection, and Good Environmental Status (GES), provided there are transparent conditions, annual reporting, and clear accountability placed on permit holders.

To ensure effectiveness, stakeholders emphasised the need to strengthen enforcement and close loopholes, particularly by addressing unmonitored exploitation and ensuring action is taken when permits are absent or misused. Spatial and temporal protections are also advocated, including restrictions on commercial activity nearshore, robust controls around Marine Protected Areas (MPAs), and rigorous enforcement in nursery zones.

In accordance with the additional comments submitted on this consultation, any permitting regime should deliver environmental and ecosystem outcomes, supporting biodiversity, sustainable fish populations, and climate-smart fisheries aligned with broader legislative and strategic goals.

Finally, fairness and sector engagement are deemed essential to those who agreed, with calls for equitable permit distribution, meaningful consultation with affected sectors, and assurance that licensed fishing vessels are appropriately considered.

Other issues raised in the comments in response to this question show strong support for a science-based and adaptive management approach, with calls for mandatory catch-and-effort returns to improve data collection, science-driven catch limits, and dynamic closures based on ecological conditions or stock status.

To ensure safe and lawful implementation of spatial protections, consultees also stress the importance of legal and navigational clarity, particularly when marking designated areas at sea.

Response - The ability to issue permits for both commercial and recreational sea fishing would enable the Department to control effort in sea areas within its jurisdiction and include for example, the species of sea-fish that may be caught therein or the type of fishing gear to be used. This would assist in delivering on the ambition for sustainable fisheries which the Department (and other devolved administrations) are committed to in the Joint Fisheries Statement. The details of any permits and conditions attached to them, would be subject to further co-design and consultation with relevant stakeholders.

Part 5

Conclusion to First Consultation



Part 5 Conclusion to First Consultation

5.1 Analysis of First Consultation additional correspondence

Separate analysis took place of all comments provided via 9 emails received in response to this consultation, that didn't directly answer the questions laid out in the consultation format.

Overall reflection of these indicates a diverse range of stakeholder views across sectors including inland fisheries, aquaculture, hydro power, sea fisheries, water quality, and enforcement. While there is general support for modernising fisheries and water management, many respondents' express concerns about vague legislation, enforcement powers, licensing changes, and lack of clarity or consultation. The tone is constructive but cautious, with calls for greater transparency, stakeholder engagement, and balanced policy development.

The lists below show the range of views and responses given:

Areas of Support for the Policy Proposals:

- Welcome the Bill's overall aim;
- Conservation efforts;
- Promotion of angling;
- DAERA's regulatory powers for fish stock conservation;
- Streamlining of marine aquaculture licensing;
- Modernising water management and adopting catchment-based approaches;
- Increase in fines and enforcement, provided they are proportionate and revenue is used for ecosystem benefit;
- Standardisation of enforcement powers.

Areas of Concern for the Policy Proposals:

- Want stronger language to be used (changing "may" to "shall");
- Legislation around fixed shore netting - is vague and needs review;
- Pollution, illegal fishing, and enforcement resources;
- Strong objections to enforcement policies and lack of stakeholder engagement on this;

- Still have no Aquaculture Policy in place to date;
- Concern about the perception that the planning authority would have a bigger role in the licensing process;
- Disagree with objectives taken from Fisheries Act 2020;
- Apprehension about stagnation and lack of development;
- Some concern about the proposals for aquaculture licences;
- Questions about integration with European Union (EU) legislation post-Brexit;
- Criticism of the Strategic Environmental Assessment (SEA) for lack of depth and stakeholder recognition;
- Opposing DAERA's power to introduce secondary legislation.

Suggestions given include:

- Practical measures like protected zones and seasonal restrictions;
- Support for the role of angling in promoting good relations and a desire for this to be reflected in equality assessments;
- Calls for an Aquaculture development policy;
- Supporting meaningful engagement and seeing potential benefits in a permitting system, provided its tailored and equitable;
- More reference to be given to green electricity and zero-carbon industry impacts;
- Cross-boundary impacts, reciprocal access, and administrative burdens should be specified;
- Use of investigatory tools could be increased and calls for better resourcing, training, and oversight.

5.2 First Consultation Conclusion - In summary

Across all responses received in response to this consultation (via all avenues), there is broad support for the modernisation of the fisheries and connected sectors, recognising its potential benefits for sustainability and efficiency.

Environmental protection and ensuring an ecosystem-based approach is taken remain key priorities.

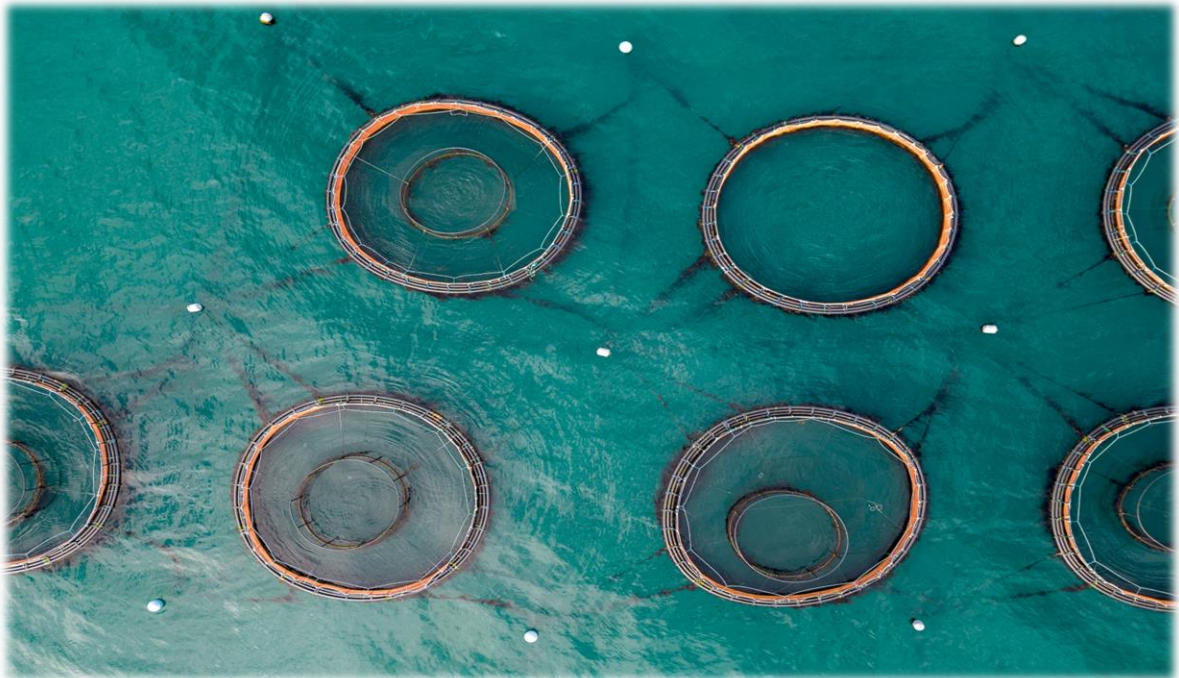
From these responses to this consultation the Department can see that stakeholders and consultees are calling for greater clarity, inclusive engagement, and balanced regulation to ensure fair and effective implementation of any future policy and legislation.

CHAPTER 3

PROTECTION OF THE WATER ENVIRONMENT

Part 6

Analysis of Second Consultation Responses



Part 6 Analysis of Second Consultation Responses

This section summarises the quantitative and qualitative responses to the 4 questions posed in the second consultation document on **‘The Protection of the Water Environment’**.

(The 8 Impact Assessment questions have been analysed separately in Part 8 of this document).

Analysis of each question asked within this chapter includes (where possible):

- The question posed,
- A bar chart showing the quantitative breakdown of those who responded Yes/No,
- A qualitative summary of the issues and themes raised within the additional comments by consultees, and
- A Departmental reply (where applicable) from the relevant policy area.

6.1 Protection of the Water Environment

Question:

What are your views on extending the 4 pillars which underpin the Lough Neagh Action plan to all waterways and using this approach to develop River Basin Management Plans?

Qualitative analysis of question responses:

Those consultees who provided a response to this question expressed strong support for immediate, decisive action to address water quality challenges, emphasising the need for a serious, well-resourced approach.

The proposed **Four-Pillar Framework** - Education, Investment, Regulation, and Enforcement - was widely regarded as coherent and balanced, ensuring prevention, accountability, and compliance when applied.

Key themes included:

- Education as the cornerstone, fostering awareness that water is precious and pollution unacceptable, supported by incentivised programs and continuous communication.
- Clear governance, statutory duties, and transparent reporting are essential to drive accountability, while voluntary measures alone are insufficient.
- Enforcement must be adequately resourced and integrated with education and investment, avoiding delays or excuses linked to restructuring.
- Evidence-based monitoring and adaptive management underpin responsibility and continuous improvement. A holistic, risk-based strategy, drawing on successful models in other parts of the United Kingdom and Republic of Ireland, should ensure fairness, stakeholder engagement, and clarity of roles.
- Significant resource commitments are required to deliver effective enforcement, compliance, and sustained progress.

Some respondents cautioned that penalties must be meaningful and proportionate, as small fines fail to deter larger businesses and undermine compliance that chronic underinvestment has undermined delivery, and that the four pillars should be

embedded within wider catchment planning rather than treated as a stand-alone model. It was also stated that while robust enforcement is essential, it cannot stand alone; meaningful consequences, legislative backing, and collaboration are critical for credibility. Chronic underinvestment was repeatedly identified as a root cause of failure, with calls for significant funding to strengthen water management systems.

However, the four-pillar model was viewed as too narrow by some respondents, who were concerned about potential deviation from a holistic, catchment-based approach aligned with the Water Framework Directive and global best practice. Integration across freshwater and marine systems is seen as necessary, supported by an inclusive, co-designed strategy involving a wide range of stakeholders rather than top-down directives.

Education remains important but has proven insufficient on its own, reinforcing the need for legislation and enforcement. Ultimately some consultees feel the four pillars must be supplemented by evidence-based, catchment-wide strategies to deliver sustainable and effective River Basin Management Plans.

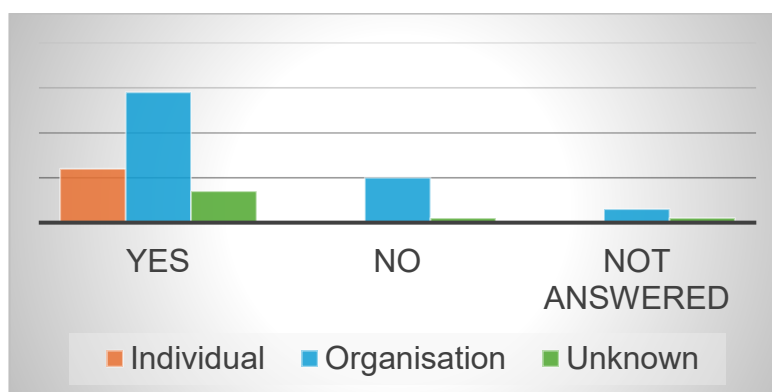
Response - The Department noted the broad support for embedding the Four-Pillar framework within future River Basin Management Plans and confirmed that this would be integrated with catchment-based planning to meet statutory duties under the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017⁶. This approach will be developed in collaboration with stakeholders and aligned to clear objectives, monitoring, and reporting arrangements.

Question:

Do you agree that the Department should increase maximum penalties on summary conviction for causing pollution of a waterway or groundwater up to £50,000?

⁶ [The Water Environment \(Water Framework Directive\) Regulations \(Northern Ireland\) 2017](#)

Quantitative analysis of question:



Qualitative analysis of question:

81.4% of stakeholders who answered this question agreed that current penalties for water pollution are far too low to deter major offenders and fail to reflect the seriousness of environmental harm. There is strong support for substantially increasing fines - potentially unlimited or linked to turnover - and ensuring penalties are proportionate to severity, intent, and financial capacity.

Deterrence was identified as the primary goal, requiring certainty of enforcement and visible consequences. Fairness and transparency are critical, with clear guidance, consistent application, and public reporting of enforcement outcomes. Higher penalties must be accompanied by systemic changes, including robust enforcement strategies, science-based prosecutions, tiered penalties, and mandatory remediation obligations.

The “polluter pays” principle should be fully applied, with fine revenue ring-fenced for water quality improvements and community-led restoration projects. Stakeholders also called for systematic monitoring, real-time pollution disclosures, and annual enforcement statistics, alongside alignment of water pollution penalties with those for other serious environmental crimes such as waste offences.

Stakeholders who disagreed with the proposal to increase maximum penalties to £50,000 were split between expressing that this threshold was still too low and feeling that this increase was excessive.

A tiered, sliding-scale approach was recommended by some, ensuring severity, intent, and financial capacity were reflected, while ensuring penalties remain

proportionate and clearly defined to avoid excessive sanctions for minor infractions. Education and proactive engagement with stakeholders were seen as important for prevention, but not as a substitute for strong regulation.

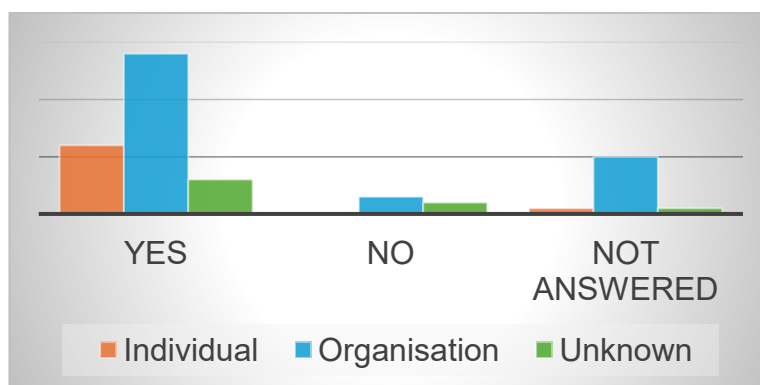
Overall, penalties must be part of an integrated strategy combining enforcement, prevention, and restoration.

Response - *Effective deterrence requires certainty of enforcement underpinned by robust legislation, including appropriate penalties for serious offences and safeguards to ensure fairness. A consistent approach is key to underlining the importance of offences which affect our waterways. Whilst DAERA will not hesitate to take action against those who pollute our waterways, the focus should be to stop pollution and damage happening in the first place.*

Question:

Would you agree with the potential for unlimited fines for those pollution offences that are heard at Crown Court?

Quantitative analysis of question:



Qualitative analysis of question:

Just over 90% of respondents agreed that current penalties for water pollution are wholly inadequate, described as extremely low and offering zero deterrent, compounded by a lack of prosecutions and convictions. There is overwhelming support for introducing unlimited fines or penalties linked to turnover, ensuring they

are proportionate to harm, intent, and the offender's capacity to pay, with courts given full discretion to tailor sanctions.

However, responses stressed that higher fines alone will not deliver results. This needs to be backed up with robust enforcement, adequate resourcing, and inter-agency cooperation. Transparency through annual reporting and public disclosure of enforcement outcomes is critical, and unlimited fines should form part of a broader reform package that includes systemic improvements in monitoring, prosecution, and compliance culture.

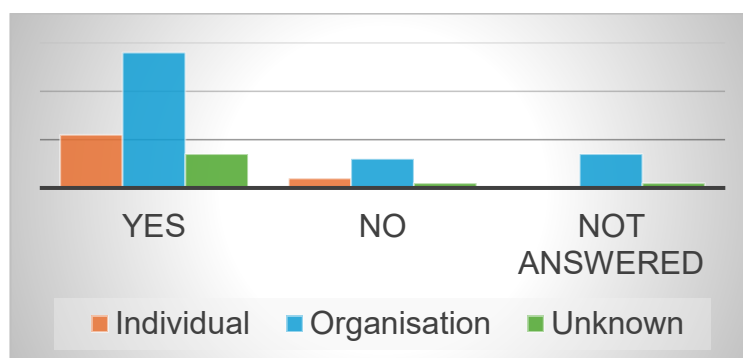
Of those who disagreed with this proposal, views on changing penalty arrangements were mixed, with some considering current systems adequate while others stressed that any changes must form part of a broader review of regulation and enforcement. There were strong calls for greater clarity and certainty in enforcement strategies, supported by clear sentencing guidelines to ensure consistency and fairness. Judicial discretion was widely acknowledged, alongside concerns about how reforms would interact with existing legislation such as the Rehabilitation of Offenders Act. Respondents highlighted the need to balance deterrence with proportionality, noting the potential stress on individuals and businesses from high-level prosecutions.

Response - Deterrence must be the primary goal, sending a clear signal that pollution is a serious environmental crime with long-term impacts. Clear guidance, offence thresholds, and remediation mechanisms are essential to maintain fairness and consistency across all sectors.

Question:

Do you agree that DAERA should have a more flexible enforcement system with increased powers to introduce fixed and variable penalties to act as an immediate deterrent for minor to moderate breaches of legislation?

Quantitative analysis of question:



Qualitative analysis of question:

A high proportion of respondents expressed strong support for a flexible enforcement toolkit, including Fixed Penalty Notices (FPNs) and variable penalties, to enable swift and proportionate responses to minor or moderate breaches without lengthy court proceedings.

Transparency was emphasised as critical, with calls for clear published criteria, thresholds, appeal rights, and a public register of penalties to ensure consistency and to build trust. Safeguards were highlighted by some as essential to maintain fairness and protect small businesses and rural users from disproportionate sanctions. It was felt that flexible penalties should complement, not replace, education and robust enforcement for serious offences, forming part of a balanced compliance strategy.

Operational considerations noted include the need for full training for enforcement officers, a robust pollution reporting system, and monitoring for consistency across jurisdictions, alongside alignment with risk-based regulation principles and cross-border cooperation with the Republic of Ireland. Respondents also highlighted risks such as contested penalties and definitional challenges, underscoring the need for clear legal definitions and oversight.

Stakeholders who opposed change, stated that they would prefer if the opportunity was taken instead to create a fairer and more transparent system. Several respondents argued that enforcement gaps, rather than the absence of penalties, are the real issue, calling for DAERA and NIEA to apply existing powers effectively before adding new ones.

Concerns were raised about the risk of double penalties for farmers and the need for safeguards to prevent overlapping sanctions. The current severity ranking system for pollution incidents was criticised as ambiguous and in need of immediate revision to align with any new framework.

Overall, those in disagreement felt that any changes should be carefully integrated with broader reforms to strengthen enforcement and clarity.

Response - The current penalties available for these offences are limited criminal prosecutions which on conviction, result in fines and/or imprisonment. Modern enforcement systems which have been introduced by other governments for the purpose of regulating fisheries and the water environment provide alternative options such as FPNs, and fixed and variable monetary penalties that are proportionate to the offence that has been committed.

Part 7

Conclusion to Second Consultation



Part 7 Conclusion to Second Consultation

7.1 Analysis of Second Consultation additional correspondence

Separate analysis took place of the comments provided via two emails received in response to this consultation, that didn't directly answer the questions laid out in the consultation format. Due to small numbers of such responses, and in the interests of privacy for respondents, the views are summarised more generally. These respondents highlighted that Northern Ireland faces significant challenges in safeguarding water quality due to urban expansion, agricultural and industrial activities, and inadequate drainage systems.

7.2 Second Consultation Conclusion - In summary

Across all responses received in response to this second consultation, stakeholders overwhelmingly support urgent, well-funded action to improve water quality through a coherent, integrated strategy. The Four-Pillar Framework of Education, Investment, Regulation, and Enforcement, is widely endorsed but seen as insufficient on its own.

Respondents call for systemic reforms, including ensuring an efficient catchment-based approach aligned with the Water Framework Directive, evidence-based monitoring, and inclusive stakeholder engagement. It was suggested that chronic underinvestment, fragmented governance, and ineffective penalties undermine deterrence and credibility.

The vast majority of respondents agree that current fines are extremely low, advocating for unlimited or turnover-linked penalties, tiered sanctions based on severity and intent, and mandatory remediation. It was suggested that deterrence must be backed by robust enforcement, adequate resourcing, judicial discretion, and transparency through public reporting. There were calls for the "polluter pays" principle to apply clearly, with fine revenue reinvested in water quality improvements.

Flexible enforcement tools, such as Fixed Penalty Notices, are strongly supported for minor breaches, provided safeguards, clear criteria, and appeal rights are in place. Education and engagement remain very important to many respondents, but it was suggested that these cannot replace strong regulation.

Overall, stakeholders who responded to this consultation call for a balanced, risk-based compliance strategy combining prevention, enforcement, and restoration to deliver sustainable River Basin Management Plans and restore public trust.

CHAPTER 4

IMPACT ASSESSMENTS

Part 8

Analysis of Impact Assessments



Part 8 Analysis of Impact Assessments

This section summarises the quantitative and qualitative responses to the same 8 questions posed in both consultation documents in relation to the Impact Assessments conducted prior to the consultation launches. It is divided into sections based on each assessment for ease of reference.

These sections are:

• <u>Draft Regulatory Impact Assessment (RIA)</u>
• <u>Equality and Human Rights Impact Assessment</u>
• <u>Rural Needs Impact Assessment (RNIA)</u>
• <u>Environmental Assessment (SEA)</u>

Analysis of every question asked within each section of this chapter includes (where possible):

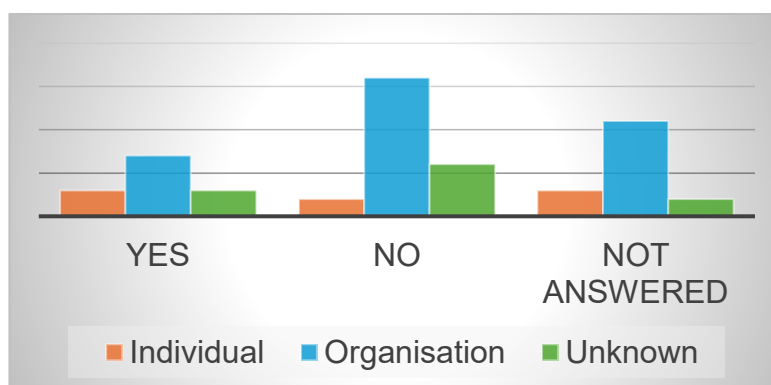
- The question,
- A bar chart showing the quantitative breakdown of those who responded Yes/No,
- A qualitative summary of the issues and themes raised within the additional comments by consultees, and
- A Cumulative Departmental reply.

8.1 Draft Regulatory Impact Assessment

Question:

Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?

Quantitative analysis of question: (CONSULTATION 1)

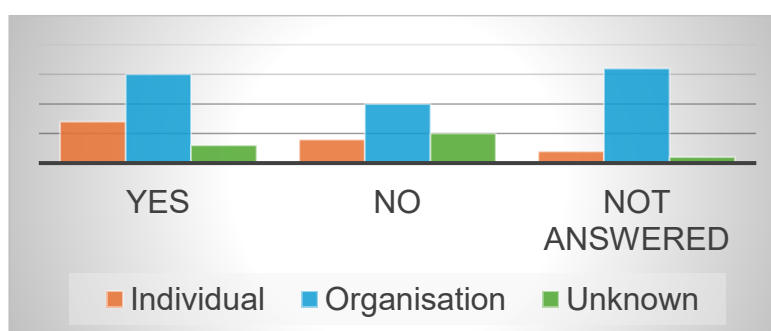


Qualitative analysis of question: (CONSULTATION 1)

Only 35.1% of respondents agreed that the analysis of the evidence given in the Draft Regulatory Impact Assessment accompanying this consultation accurately describes the potential impacts of the proposals. Feedback emphasised that it appears incomplete and only has partially captured the potential impacts.

Consultees appear to be calling for a holistic, forward-looking policy approach that connects environmental, economic, and social outcomes through strategic, inclusive, and sustainable regulation.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

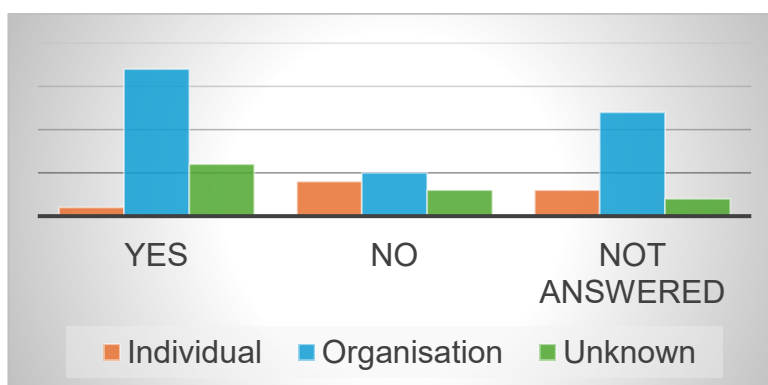
Respondents widely regarded the analysis as credible and evidence-based, striking a balance between environmental urgency and socio-economic considerations. It signals strong support for reform to meet statutory obligations, while stakeholders emphasise the need for greater detail on compliance costs, resource implications, timelines, and sensitivity testing. Additionally, clarity is sought on the scope of measures, particularly regarding alignment with EU directives to avoid exceeding expected requirements.

However other stakeholders expressed concern that the analysis is incomplete and unbalanced, failing to capture the full economic, social, and environmental impacts while overlooking long-term costs of inaction and historical pollution effects, prompting calls for a more robust, evidence-based approach that includes economic modelling, ecosystem valuation, and independent annual assessments. Strong emphasis is placed on meaningful stakeholder engagement to address impacts on rural wellbeing, angling, and mental health, alongside improved governance through local council responsibility, ringfenced funding, and transparent reporting to ensure accountability.

Question:

Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?

Quantitative analysis of question: (CONSULTATION 1)



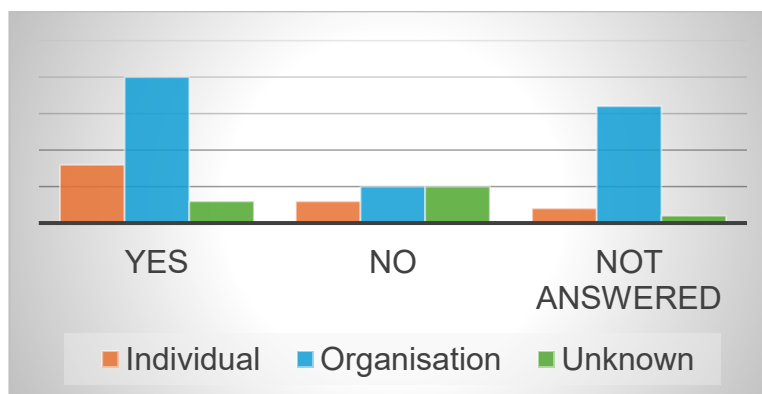
Qualitative analysis of question: (CONSULTATION 1)

Over two thirds of respondents said Yes that there were other potential impacts that we have not anticipated in the accompanying Draft Regulatory Impact Assessment. Strong concern was expressed over the omission of the protection of game species and angling culture, with comments emphasising the importance of preserving rural wellbeing, mental health, and the role of voluntary clubs and hatcheries.

Criticism of the Draft Regulatory Impact Assessment centres on its failure to account for cumulative impacts, climate resilience, and reputational risks.

Finally, concerns are raised about the Bill's treatment of natural capital and ecosystem services, with calls for clearer recognition of fish as ecosystem assets rather than mere property, and for more robust methodologies to assess their broader environmental value.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

The proposal is generally viewed as credible and well-structured, providing a solid foundation for future development. While confidence exists in its potential as a starting point, stakeholders note that further detail and refinement will be required to progress toward deeper analysis, stakeholder engagement, and implementation planning.

70.5 % of those who responded to this question viewed the Regulatory Impact Assessment as incomplete, and lacked thorough analysis of long-term contamination risks, cumulative socio-economic effects, and future-proofing measures.

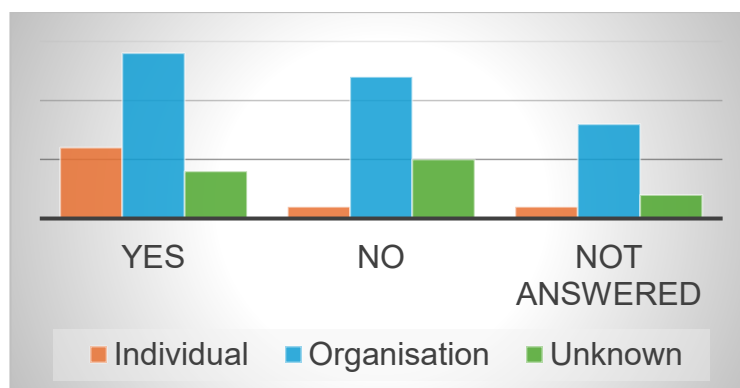
Stakeholders highlighted overlooked community and economic risks, including reduced rural participation, tourism decline, and potential closures of small businesses without adequate support. Concerns extend to missing cost estimates for compliance, enforcement, and legal processes, as well as cross-border governance implications. It is felt the document fails to emphasise preventive mechanisms or positive outcomes such as improved water quality and health benefits and there is a strong call for a comprehensive, evidence-based approach incorporating annual catchment-level assessments, valuation of health and ecosystem co-benefits, and coordinated stakeholder engagement to ensure balanced, transparent, and effective implementation.

8.2 Equality and Human Rights Impact Assessment

Question:

Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?

Quantitative analysis of question: **(CONSULTATION 1)**



Qualitative analysis of question: **(CONSULTATION 1)**

57.1% of responses answered Yes, they agree with the conclusion the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights.

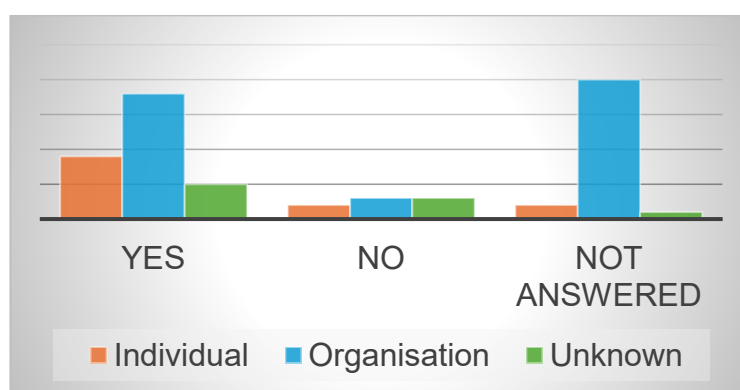
In terms of equality and inclusion, feedback acknowledges that current proposals do not disproportionately impact Section 75 groups and may offer positive opportunities for equitable access to fisheries and related resources. However, it was commented

that the human rights dimension could be more explicitly recognised as positively supported by sustainable fisheries policies.

Those who disagreed with this question have raised concerns around human rights and social equity. The social and health benefits of angling are widely acknowledged, with calls for these to be fully considered in policy development and the accompanying impact assessments.

Another issue raised within the responses received was a call for more teaching for young people on both angling practices and environmental matters, reflecting a desire to build awareness and encourage responsible behaviour from an early age.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

Stakeholders stress the need for ongoing monitoring and regular review of this assessment to ensure policy effectiveness and avoid unintended consequences, supported by clear governance and transparent processes.

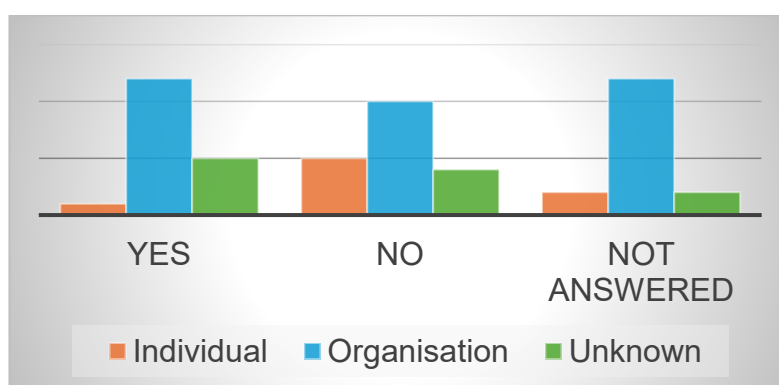
It was suggested that active engagement with Section 75 groups and diverse stakeholders is essential, with targeted communication measures such as translation, rural outreach, and simplified guidance to maintain accessibility. While proposals are not expected to create new offences or directly impact human rights, concerns remain about disproportionate effects on vulnerable rural communities, small businesses, and those reliant on waterways, highlighting the importance of environmental justice and socio-economic equity. Calls are made for a more detailed equality and human rights assessment, including consideration of Article 1 property

rights, rural disadvantage, and access to safe water as a human rights issue and it was suggested that broader socio-economic impacts, such as effects on tourism, recreation, voluntary conservation, and community wellbeing, should also be evaluated to ensure a fair, balanced, and inclusive approach.

Question:

Are there any potential impacts of the proposals on specific groups which we may not have anticipated?

Quantitative analysis of question: (CONSULTATION 1)



Qualitative analysis of question: (CONSULTATION 1)

There was quite an even split of responses to this question, with those who agreed there were potential impacts that had not been considered raising concerns about the underrepresentation of aquaculture operators and non-consumptive water users, suggesting that current proposals focus too narrowly on inland fisheries and angling, and calling for more balanced stakeholder engagement.

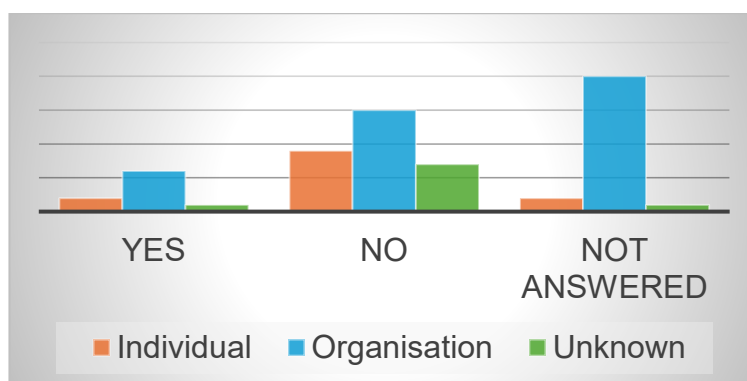
Issues of social equity and access are also prominent, with fears that reduced access to publicly managed waters could disproportionately affect older adults, disabled individuals, and rural or low-income communities, highlighting the importance of affordable, local angling as a tool for inclusion and wellbeing.

Some respondents have stated there is a clear need for a more comprehensive impact assessment, with recommendations to better capture social and equality

impacts and avoid unintended harm to vulnerable groups, while supporting broader community wellbeing.

Even though 51.4% of respondents disagreed that there were no further potential impacts of the proposals on specific groups which we may not have anticipated, there is a recognition of a demographic imbalance in angling participation, and anglers feel they are increasingly viewed as a distinct community, whose cultural identity and interests, though not formally recognised under Section 75, warrant sensitive and inclusive policy development. Acknowledging their unique contributions and fostering wider engagement can help ensure the long-term sustainability and social value of angling.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

Stakeholders highlight the risk that new regulatory and enforcement measures could disproportionately impact rural and coastal communities, small businesses, and community-run angling initiatives if adequate support is not provided. Concerns extend to socio-economic and inclusion risks, including reduced youth engagement, challenges for volunteer groups, and barriers for non-English speakers and vulnerable populations. Recommendations focus on clear mitigation strategies for small businesses, low-income households, and disabled groups to avoid inadvertent outcomes such as closures or loss of cultural activities. Additional complexities around cross-border compliance will require better coordination.

At the same time, there is strong support for maintaining and enhancing angling access, recognising its value for community engagement, rural wellbeing, and

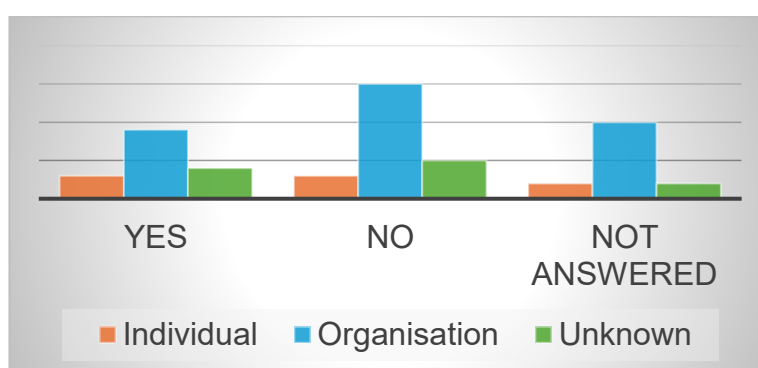
tourism. Stakeholders stress that these priorities should align with broader environmental goals, ensuring water quality improvements and habitat protection while safeguarding recreational and cultural benefits.

8.3 Rural Needs Impact Assessment

Question:

Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?

Quantitative analysis of question: (CONSULTATION 1)



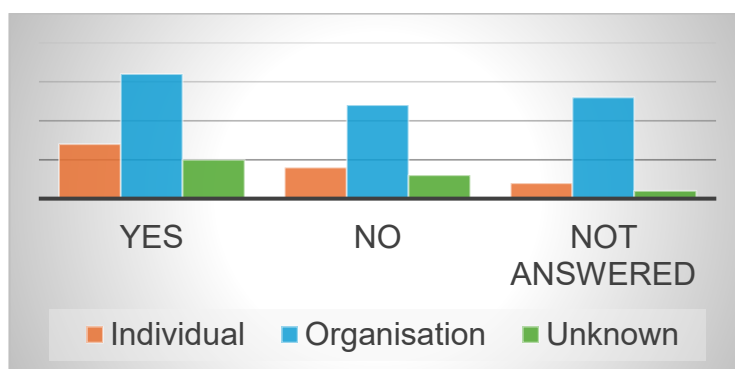
Qualitative analysis of question: (CONSULTATION 1)

41% of consultees agreed that the department has fully considered the impact on rural communities in the development of the RNIA proposals and while the document is seen as wide ranging, there is an implicit call to ensure it remains inclusive, transparent, and responsive to evolving challenges.

Concerns from those who disagreed with the above question are that the approach is seen as overly administrative, failing to capture the broader socio-ecological outcomes essential to rural resilience.

Other feedback highlights some regulatory and planning barriers.

Quantitative analysis of question: **(CONSULTATION 2)**



Qualitative analysis of question: **(CONSULTATION 2)**

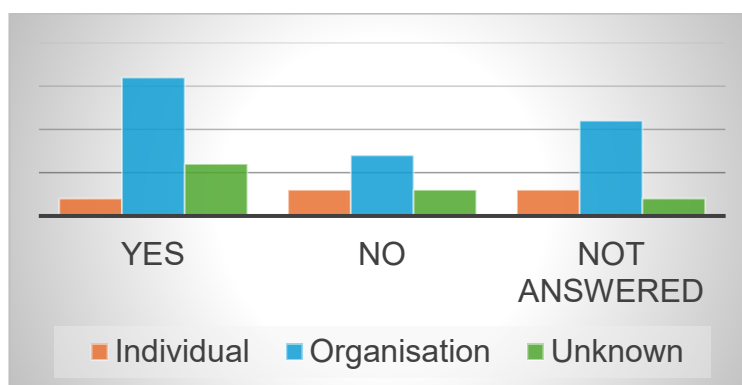
Stakeholders strongly support a transition to sustainable land use but emphasise the need for adequate resources and targeted support to prevent unintended disadvantage for rural and inland communities. Greater inclusion of non-farming sectors and ongoing engagement beyond one-off consultations are seen as critical, alongside proactive monitoring of cumulative impacts to manage risks.

While co-design sessions with angling, aquaculture, and sea fishing groups are welcomed, concerns persist about disproportionate effects on rural livelihoods, tourism, and cultural activities if socio-economic realities are overlooked. Angling is highlighted as vital for rural wellbeing, youth engagement, and tourism, reinforcing calls for tailored guidance, financial assistance, and advisory support.

Question:

Are there any potential impacts of the proposals on rural communities which we may not have anticipated?

Quantitative analysis of question: (CONSULTATION 1)



Qualitative analysis of question: (CONSULTATION 1)

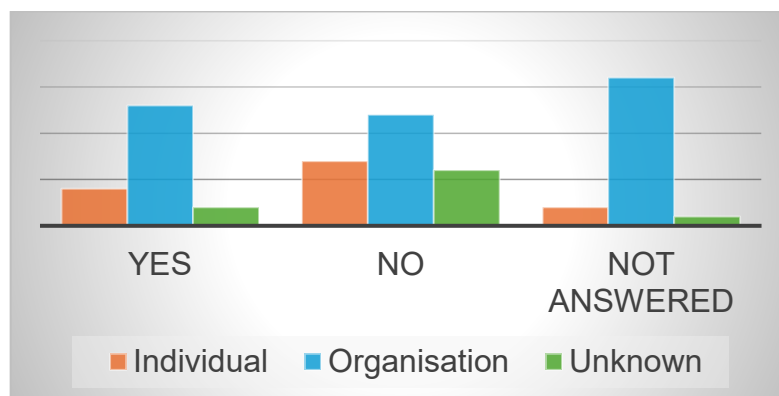
64.9% of respondents who answered this question felt that there were some potential impacts of the RNIA proposals on rural communities which we may not have anticipated. Issues raised that consultees feel should be considered are:

- Inland aquaculture and publicly managed angling waters play a vital socio-economic role, particularly in rural areas, by supporting employment, tourism, youth engagement, and community wellbeing. Proposed regulatory changes risk disproportionately impacting vulnerable groups, such as low-income households, rural communities, and families reliant on commercial inland fisheries, by reducing access and support.
- Calls for greater consideration of cultural identity, economic stability, and community resilience.
- Sustainable management and improved enforcement of inland fisheries offer significant environmental and public health benefits, including enhanced water quality and healthier ecosystems that support agriculture and drinking water supplies.

Of those who felt that we had anticipated most potential impacts of the proposals on rural communities within the RNIA, there was general satisfaction with the content of the document provided it is flexible, and future policies can be adapted to evolving environmental and social conditions, ensuring it remains effective and relevant over time.

Respondents also emphasised the importance of ensuring conservation goals are balanced with the livelihoods of rural communities, advocating for sustainable development that benefits both ecosystems and people.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

Stakeholders express concern that the current process does not fully convey the urgency or necessity for reform, relying too heavily on superficial analysis rather than in-depth evaluation. Rural communities fear that increased fines and compliance costs could harm livelihoods, leading to depopulation, business closures, and mental health challenges if changes are punitive without adequate support. There is a strong call for incentives such as grants, safer alternatives to nitrates, and advisory services to ease the transition, alongside proactive rural engagement to promote shared responsibility rather than enforcement alone.

It was suggested that risks of indirect and cumulative impacts - including reduced tourism, loss of angling culture, and higher living costs - underscore the need for investment in infrastructure, education, and prevention to avoid widening rural - urban inequalities.

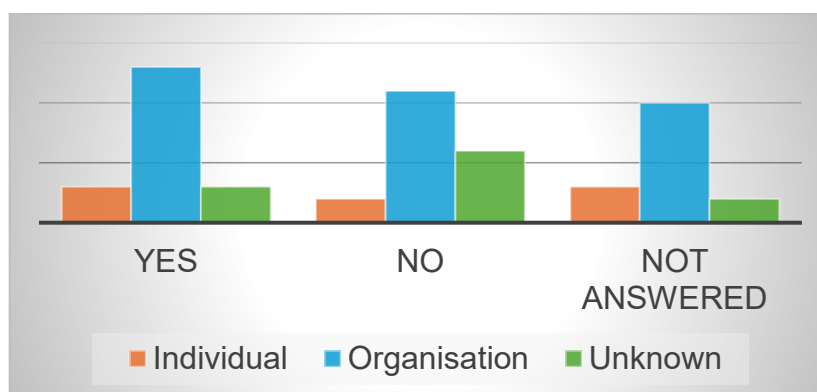
Stakeholders also highlight administrative burdens and gaps in rural impact analysis, calling for deeper assessment of economic, social, and cultural consequences, and clear governance and transparency to demonstrate that rural needs have been fully considered.

8.4 Environmental Assessment (SEA)

Question:

Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals?

Quantitative analysis of question: (CONSULTATION 1)



Qualitative analysis of question: (CONSULTATION 1)

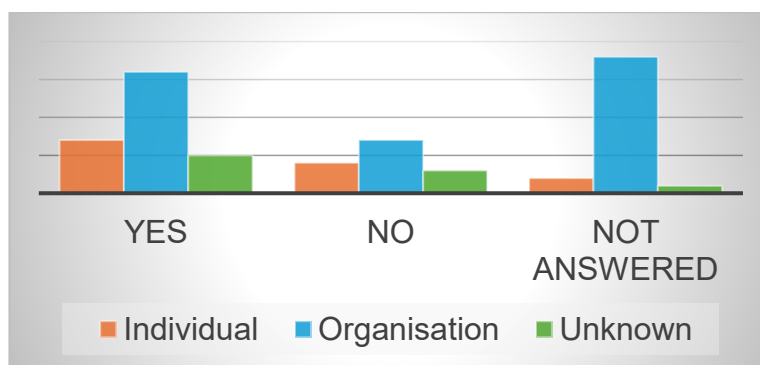
The Yes/No split from those who answered this question in the consultation was evenly divided at 50/50 and there are positive comments to acknowledge that climate change and environmental factors have been mentioned as contributing to the mixed picture across Northern Ireland's aquatic ecosystems. However, there is a consensus in the responses that further work is required to understand the environmental impacts and causes of change in other areas, such as landscape and seascape.

Some concerns were raised about missed opportunities to harness the environmental benefits of inland aquaculture growth and that the SEA document has overlooked several important potential environmental factors such as reduced fish stocking and changing hatchery operations.

Additional comments from the responses advocate for a more integrated approach that recognises the environmental and economic value of natural landscapes, particularly in areas like Northern Ireland's coastline and designated Areas of Outstanding Natural Beauty (AONBs), where biodiversity supports tourism and sustainable development. These concerns point to the need for strategic, place-

based environmental planning that aligns conservation priorities with broader land and seascape designations, ensuring long-term ecological and economic resilience.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

The Strategic Environmental Assessment (SEA) is generally regarded as comprehensive and well-structured, clearly outlining expected environmental benefits such as improved water quality and ecosystem health, and reinforcing the importance of stronger enforcement for long-term sustainability. However, stakeholders call for greater depth through cumulative-effects analysis, integration of climate change interactions, and a dynamic monitoring framework to ensure adaptability.

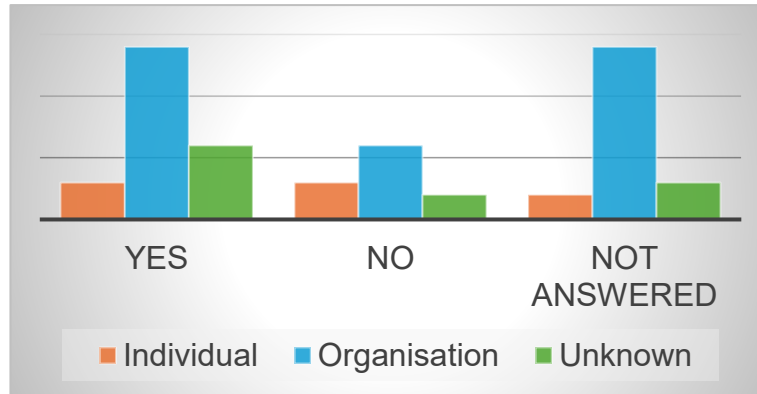
Concerns persist about overemphasis on certain pressures, such as fisheries, without sufficient evidence, and the lack of clarity and accessibility in a document perceived as overly rigid and process driven. It was suggested that gaps in baseline data, monitoring systems, and enforcement capacity raise questions about how outcomes will be tracked and adverse effects prevented and that, additionally, the SEA underestimates long-term risks from diffuse pollution, sediment runoff, and infrastructure neglect, while missing opportunities to highlight wider economic and social benefits beyond fisheries.

Stakeholders advocate for a more joined-up approach, incorporating independent research, real-world data, and regular stakeholder engagement to maintain transparency and responsiveness to emerging environmental challenges.

Question:

Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?

Quantitative analysis of question: (CONSULTATION 1)

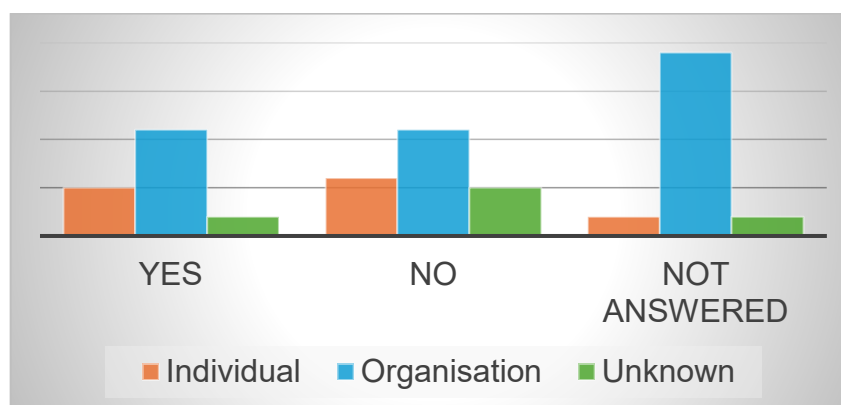


Qualitative analysis of question: (CONSULTATION 1)

67.6% of responses felt that there were other potential impacts that may not have been anticipated in the accompanying SEA document such as:

- Strong support for an ecosystem-based approach for fisheries and biodiversity management.
- Several positive impacts have been under-recognised or insufficiently considered, like climate resilience and the mental health benefits of nature.
- A need for a more comprehensive and detailed assessment with a clearer policy intent.
- A call for greater awareness of both direct and indirect threats facing aquatic environments.

Quantitative analysis of question: (CONSULTATION 2)



Qualitative analysis of question: (CONSULTATION 2)

The proposals are generally viewed as providing a credible foundation for policy development, but stakeholders suggested that the assessment underrepresents the long-term strategic benefits of improved water quality and land use changes.

Some responses commented that significant gaps remain in risk and impact analysis, including delayed enforcement consequences, contractor oversight failures, and loss of local ecological knowledge, with poor coordination between agencies seen as a potential barrier to success. Calls are made for stronger preventative measures, transparency, and ringfenced budgets to safeguard delivery, alongside robust cumulative-impact assessments to capture knock-on effects such as pollution displacement and socio-ecological disruption.

Concerns extend to biodiversity, soil health, and aquatic ecosystems, reinforcing the need for comprehensive baseline data, groundwater indicators, and adaptive monitoring frameworks. Integration of climate change considerations and strengthened scientific evidence for fisheries and aquaculture objectives are also recommended to ensure resilience and credibility. Without these enhancements, stakeholders fear that enforcement alone could undermine outcomes and miss opportunities for broader environmental and economic gains.

Cumulative Departmental response - *Those who did not agree with proposals or with the Impact Assessments tended to expect specifics to be included about potential effects of secondary legislation which may be created under the primary powers which this Bill seeks to attain. Any subordinate legislation to be prepared as a result of powers attained through the Bill would be subject to development with stakeholders. The Impact Assessments prepared for primary legislation are live documents which are refined as the process develops, and such will not contain the level of detail at this stage that some may expect to see. A final version of the Impact Assessments will be published once legislation is enacted.*

Now that policy intent has been clarified, more detailed work will continue to refine the Impact Assessments to ensure that the environmental, economic, social and cultural consequences of proposed changes are appropriately considered.

CHAPTER 5

SUMMARY

Part 9

Summary & Next Steps



Part 9 Summary & Next Steps

9.1 What happens next?

All the information gathered by DAERA teams involved in the development of the Fisheries and Water Environment Bill from public engagement, through co-design and from these consultation processes will now be taken into consideration and the associated policies and Impact Assessments will be updated as required.

Responses to the consultations have been shared with officials across the department and the final policy decisions will rest with Ministers, the Executive, and the Northern Ireland Assembly.

9.2 Policy development for future legislative provision

Clear legislation is required which offers the Department the tools required to deliver on an ecosystem-based approach towards fisheries management. Legislation gives life to the policy positions which the Minister takes on each key area and taking a policy led approach to legislation will therefore ensure that the Department's vision comes to life.

Policy intent must be clear to ensure it is translated into effective legislation.

Focusing in particular on the intent of each policy will ensure that policies can then be accurately provided for in legislation for the marine and freshwater environments, allowing for the development of policies to:

- focus on improving water quality and ecosystem health,
- promote sustainable fish stocks, and
- ensure appropriate enforcement deterrents for breaches of legislation.

9.3 Legislative Process

A proposal for a new primary legislation law is called a Bill. Once a Bill is passed by the Assembly and receives Royal Assent it becomes an Act and becomes law as an Act of the Assembly. Bills or Acts are often referred to as 'primary legislation' and usually contain provisions which delegate powers to the Minister/Departments to

make further laws by means of ‘subordinate’ or ‘secondary’ legislation, to allow for detailed implementation of the objectives of the parent legislation.

These consultations are part of the development of the policies which would underpin the Bill. Once the outcome of these policy consultations has been considered and the final policies have been agreed by the Executive, the Bill can be drafted. Once the Minister is satisfied that the Bill is within the legislative competence of the Assembly, the process continues with the formality of the introduction of the Bill to the Assembly.

This is followed by a series of stages where evidence will be taken and clause by clause scrutiny takes place. At this scrutiny stage, stakeholders have the opportunity, to give evidence for consideration of the Committee who may then suggest changes to the Bill, in light of this information.

The Bill can be amended at either of the two subsequent Consideration Stages as a result of recommendations arising from scrutiny at Committee Stage or debate in the Assembly. Individual MLAs can table amendments at this Stage, for example if their constituents have raised any specific concerns about certain aspects of the Bill. At the Final Stage the Assembly can only pass or reject the Bill as a whole but cannot make any further amendments.

Once a Bill has completed its passage in the Assembly it must receive Royal Assent before becoming law.

Where primary powers delegate powers to make subordinate legislation, there is further opportunity for consultation and comment before these detailed rules come into force.

Thank you for your role in developing important primary legislation by taking part in this consultation process.

For further information:

Marine & Fisheries Division (MFD)
Fisheries and Water Environment Bill Team
Department of Agriculture, Environment and Rural Affairs (DAERA)
Ground Floor West
Clare House
303 Airport Road West
Belfast
BT3 9ED

Email: MarineandFisheriesBillTeam@daera-ni.gov.uk
www.daera-ni.gov.uk

DAERA Marine and Fisheries Bill Team

Attachments: Notes FWEB Stakeholder Event 29.08.2025.docx

From:

Sent: 29 August 2025 14:45

To: Cc:

Subject: Notes FWEB Stakeholder Event 29.08.2025

Hi,

Please see attached meeting notes. Hopefully I haven't missed anything!

I have enjoyed the events, thanks for letting me take part. I think they turned out well

Have a great weekend,

Notes – Water Quality Policy Stakeholder Event 29th August

Responses to Presentation:

Definition of pollution, what is and what can be a pollutant is important. Especially when considering pollution from point sources vs accumulation of pollutants from diffuse sources.

Education and support should extend to compliance support, helping operators to comply with legislation.

Need to be careful when approaching enforcement for 'accidental' pollution events as it is hard to distinguish what is accidental and what is careless. 'Wreckless' as hard to define as 'accidental' so each should be considered when referring to future policy/legislation.

Q1: Extend E.I.R.E to RBMPs

Important that everyone works to address water quality issues in Northern Ireland

Q: Is fly tipping included/ How does this impact fly tipping/ How does this address criminality and cross-border repatriation of waste dumping. (Check W&CLO 1997)

Is this relevant to the Bond system used in case of organisations going bust?

How well equipped is the Water Appeals System and how will this cope with a change in legislation, presuming the increased fines lead to an increase in workload. (WO1999)

Education an important factor, a pollution awareness course should be made available. This could be in response to a pollution event (enforcement) or be offered/mandatory as part of education pillar. Possibly offered a form of accreditation to organisations, environment officers, stakeholders.

Mention of the workload of farmers and that not enough time available to focus on priority nature as well as H&S and efficiency.

Finance also a big deal when considering compliance.

Potential for a waste amnesty? (Apparently already carried out in past through NI Water at some cost)

11:30 Break away:

Potential for 5th Pillar – Remediation/ Restoration

Water Quality needs to be looked at holistically as part of an ecosystem-based approach

More departmental resources are required to provide sufficient education to industry on how to avoid polluting the waterways

Discussion around difficulty for farmers to access decarbonisation funds from UK Gov. More incentives desired to stop pollution.

Q 2: 4 Pillars

Restoration an important factor but unclear what the goal is in terms of natural parameters. When is a waterway restored? Acceptance that more needs to be done in general to reverse the impacts of pollution, not just maintain the current levels.

Will there be unintended consequences with the Bill in regard to installation of renewables? – *this is thought to be unlikely as renewables projects already require a number of environmental impact assessments*

Without adapting the 4 pillars to include restoration the LN Action Plan could slot seamlessly into the RBMP. There are concerns over the term restoration becoming a legal prerequisite, could this be addressed by referencing restorative action, remediation etc?

Restoration should maybe become a theme for the policy rather than a pillar of action or possibly align with the enforcement section.

Suggestion that pollution awareness should be a measure for punishment as opposed to education.

Concerns that operators have no time to attend compulsory education courses.

DAERA Marine and Fisheries Bill Team

Attachments: Document1.docx

From:

Sent: 29 August 2025 16:23

To:

Subject: Readout from Stakeholder Engagement Session 2 - 29th August 2025

Hi

Please see attached comments from Table 2 from today's sessions.

Thank you

Protection of the water environment – summary of stakeholder feedback

Session 1- 19th August 2025

Question 1

- **Context** - The key drivers behind the need for change in the water environment and regulations include, the PfG, Lough Neagh report, the NIAO reports and OEP recommendations. Water quality affects individuals and organisations as a whole and the Department want to ensure there is an equitable approach adopted to enforcement relating to pollution offences which will incorporate any polluter and any pollutant.
- **What are your views on how the Department could achieve this equitable approach?**

Key Themes

1. Shared Responsibility Across Sectors

- Strong consensus that **all sectors must contribute** to improving water quality.
- Recognition that **everyone has a role to play**, from individuals to large corporations.

2. Definition and Application of Equity

- Debate around what “equitable” means:
 - Should penalties be **uniform** or **variable** based on factors like intent, ability to pay, or environmental harm?
 - Need for **proportionality** and **fairness** in enforcement.

3. Sanctions and Penalties

- Concern that **current fines are too low and not consistently applied**.
- Calls for:
 - **Sentencing guidelines** to be reviewed and strengthened.
 - **Fines** should reflect intent of offender and level of environmental harm.
 - **Judicial education** on environmental harm.
 - **Fair fines across all sectors**, avoiding double penalties (e.g., farmers losing grants and being fined).
 - **Fines to be used to fund environmental restoration**.

- **Environmental liability** regulations to be used to recover costs for remediating environmental damage.

4. Education and Incentivisation

- There is action that can be taken to prevent environmental harm:
 - **Education** on compliance and pollution prevention.
 - **Incentives** for good practices.
 - **Financial assistance** schemes should be long-term and incentivise catchment scale collaboration.
 - **Early education** initiatives like eco-schools with a water theme.

5. Communication and Engagement

- Need for **better dialogue** between regulators and industries.
- Tailored messaging to different communities (e.g., urban vs rural) to make water quality personally relevant.

6. Mental Health and Social Impact

- Recognition of **unintended consequences** of enforcement, especially in rural areas where individuals may be publicly identified.
- Importance of **sensitive handling** to avoid stigma and mental health issues.
- Special consideration for **young people**.

7. Cross-Government and Multi-Industry Collaboration

- Call for a **joined-up approach** involving multiple departments and industries to tackle water pollution holistically.

Main Takeaways

- **Equity in enforcement** must balance fairness, proportionality, and sector-specific realities.
- **Education, incentives, and communication** are as vital as penalties in driving behaviour change.
- **Judicial reform and consistent application of fines** are needed to make enforcement effective.
- **Collaboration and tailored engagement** will help build public and sectoral support.
- **Sensitivity to social impacts**, especially in rural communities, is crucial for maintaining trust and fairness.

Summary of the consultee responses:

1. All sectors must contribute to improving water quality—shared responsibility is essential.
2. Equity in enforcement should consider intent, ability to pay, and environmental harm.
3. Current fines are too low and inconsistently applied; sentencing guidelines need review.
4. Education and incentives are key alongside penalties to encourage positive behaviour.
5. Better communication between regulators and industries is needed.
6. Enforcement must be sensitive to social impacts, especially in rural communities.
7. Farmers face double penalties—this needs to be addressed for fairness.
8. Tailored messaging can help engage different communities more effectively.
9. Early education (e.g. eco-schools) can foster long-term environmental responsibility.
10. A cross-government, multi-industry approach is vital for meaningful change.



IMPROVING WATER QUALITY



All sectors must contribute to improving water quality—shared responsibility is essential



Equity in enforcement should consider intent, ability to pay, and environmental harm



Current fines are too low and inconsistently applied; sentencing guidelines need review



Education and incentives are key alongside penalties to encourage positive behaviour



Better communication between regulators and industries is needed



Enforcement must be sensitive to social impacts, especially in rural communities



Farmers face double penalties—this needs to be addressed for fairness



Tailored messaging can help engage different communities more effectively

Question 2

- **Context** - One of the key priorities set out in the current Programme for Government is protecting Lough Neagh and the environment. The Lough Neagh Action Plan establishes a number of key actions which will work towards achieving this. Action 30 discusses exploring enforcement methods including fixed penalty notices and civil sanctions for non-compliance, to act as a deterrent for polluters and non-compliant operators.
- **What kind of sanctions might be the most effective deterrent for minor breaches of legislation?**

Key Themes

1. Proportional and Impact-Based Sanctions

- Sanctions should reflect the environmental harm caused, not just procedural failures.
- Proportionality and fairness are essential—major incidents should still go to court.

2. Flexible Enforcement Options

- Strong support for Fixed Penalty Notices (FPNs) and civil sanctions for minor/moderate breaches.
- These are seen as faster, less resource-intensive, and more practical than criminal prosecution.

3. Clear Guidance and Offence Categorisation

- Need for clear criteria on which offences warrant which sanctions.
- A traffic light system (warnings, then escalating penalties) was suggested.

4. Education First, Enforcement Last

- Emphasis on education, guidance, and support before enforcement.
- Most pollution is unintentional, so advisory support is key for first-time or accidental breaches.

5. Reparative and Restorative Approaches

- Support for reparative sanctions—e.g. fines funding habitat restoration.
- Interest in nature-based solutions and enforcement undertakings like those used in England.

6. Reputational and Non-Financial Deterrents

- Reputational damage can be more effective than fines.
- FPNs are seen as a non-criminal but visible deterrent.

7. Consistency and Cross-Border Alignment

- Enforcement should align with Republic of Ireland to avoid transboundary issues.
- Involvement of DfI and DfE is necessary due to cross-sector impacts on water quality.

Main Takeaways

- A tiered, proportionate enforcement system is preferred, with FPNs and civil sanctions for minor breaches.
- Education and support should be the first step, with enforcement as a last resort.
- Restorative justice and reputational consequences are valuable deterrents.
- Clarity, fairness, and consistency in enforcement are essential to build trust and ensure compliance.

Summary of the consultee responses on effective sanctions for minor environmental breaches:

1. Sanctions should reflect **actual environmental harm**, not just procedural failures.
2. **Fixed Penalty Notices (FPNs)** and **civil sanctions** are preferred for minor breaches.
3. These options offer **faster resolution** and reduce pressure on the legal system.
4. A **tiered approach** (education, then enforcement) is widely supported.
5. **Clear guidance** is needed on which offences suit which penalties.
6. **Reparative measures** like habitat restoration are strongly favoured.
7. **Reputational risks** (e.g. naming and shaming) can be powerful deterrents.
8. Enforcement must be **fair, proportionate, and transparent**, avoiding double penalties.
9. **Cross-border consistency** with the Republic of Ireland is important.
10. **Education and advisory support** should be prioritised for first-time or accidental breaches.



EFFECTIVE SANCTIONS FOR MINOR ENVIRONMENTAL BREACHES



Sanctions should reflect environmental impact, not just procedural failures



Fixed Penalty Notices (FPNs) and civil sanctions are welcomed for minor breaches



These options could speed up enforcement and reduce court burdens



Clear guidance is needed on which offences suit which penalties



Education and advisory support should precede enforcement, especially for first-time or accidental breaches



Reparative approaches (e.g. habitat restoration) and nature-based solutions are strongly supported



Reputational risks can be a stronger deterrent than financial penalties—naming and shaming may be effective



A traffic light system (warnings, then penalties for repeat offences) was suggested



Cross-departmental coordination and alignment with Republic of Ireland enforcement is essential

Question 3

- **Context** - The maximum fine in Northern Ireland for an offence prosecuted under the Water (NI) Order 1999 is £20k, however, similar offences across the UK and Ireland have much higher penalties. In addition, fisheries and aquaculture proposals (out for consultation at present) aim to raise the bar in terms of the importance of the ecosystem and penalties for ecosystem degradation offences.
The proposal is that many fisheries related offences will have the maximum penalty increased to £50,000.
- **What are your views on increasing the maximum fine available in Northern Ireland for offences on summary conviction prosecuted under the Water (NI) Order 1999,**
- **and how might this impact compliance, deterrence, and industry practices?**

Key Themes

1. Support for Increased Penalties

- General agreement that current fines are too low and lack deterrent effect.
- Some support for unlimited fines for serious pollution offences.

2. Judicial Application and Sentencing

- Concern that maximum fines are rarely applied.
- Need for judicial education and updated sentencing guidelines to ensure effective use of increased penalties.

3. Fairness and Equity

- Emphasis on equitable treatment across sectors—agriculture, industry, wastewater, and the public.
- Enforcement must avoid disproportionate impacts, especially on rural communities.

4. Polluter Pays Principle

- Strong support for enforcing the polluter pays principle.
- Recognition that some sectors (e.g. wastewater) are perceived as being under-regulated.

5. Education and Prevention

- Enforcement should be a last resort—education and awareness are key to preventing pollution.
- Need for training and guidance on pollution prevention and reporting.

Main Takeaways

- Increasing the maximum fine is broadly supported but must be matched by effective judicial enforcement.
- A fair, proportionate, and transparent system is essential to maintain public and sectoral trust.
- Education and preventative measures should accompany any changes to enforcement policy.
- Sector-wide consistency and avoidance of rural bias are critical for equitable implementation.
- Strengthening the polluter pays principle will reinforce accountability and drive better industry practices

Summary of the consultee responses on increasing the maximum fine:

1. General support for increasing fines, as current levels lack deterrent effect.
2. Concern that **maximum penalties are rarely applied**—judicial education is needed.
3. Sentencing guidelines must be **reviewed and strengthened**.
4. Fines should be **fair and proportionate**, with consistent treatment across sectors.
5. **Polluter pays principle** should be enforced more robustly.
6. Enforcement must avoid **disproportionate impacts on rural communities**.
7. Some support for **unlimited fines** for serious pollution offences.
8. Education and prevention should come **before enforcement**.
9. **Low court fines** undermine the credibility of environmental protection efforts.
10. Clearer attribution of responsibility is needed, especially in urban areas.



INCREASING ENVIRONMENTAL FINES



General support for increasing fines, as current levels lack deterrent effect



Concern that maximum penalties are rarely applied—judicial education is needed



Sentencing guidelines must be reviewed and strengthened



Fines should be fair and proportionate, with consistent treatment across sectors



Polluter pays principle should be enforced more robustly



Enforcement must avoid disproportionate impacts on rural communities



Some support for unlimited fines for serious pollution offences



Low court fines undermine the credibility of environmental protection efforts



Clearer attribution of responsibility is needed, especially in urban areas

Session 2- 29th August 2025

Main Takeaways

1. Sector-Specific Education and Support:

- Farmers and other sectors lack tailored guidance and consistent messaging.
- Absence of farm advisors and misinformation hinder sustainable practices.

2. Confidence and Collaboration:

- Agriculture sector fears misuse of shared information.
- A shift from blame culture to partnership and trust-building is essential.

3. Resource and Capacity Needs:

- Departments need more visibility and trained staff to support sectors.
 - Unequal access to environmental funding, especially for agriculture.
-

Key Themes arising from discussion on Policy Options provided

1. Tailored Education and Guidance:

- Education must be industry-specific, not one-size-fits-all.
- Sharing best practices and adapting successful models (e.g. STOP guidance for quarries).

2. Building Trust and Breaking Silos:

- Better communication between departments and sectors.
- Collaboration with trade bodies and third-party assessments to support education.

3. Financial and Structural Barriers:

- Agriculture lacks access to environmental funding compared to other sectors.
- Planning procedures and other systemic issues hinder compliance and investment.

4. Legislative Flexibility and Future-Proofing:

- Legislation should allow discretion for unforeseen events.

- Consideration of adding “restoration” as a fifth pillar to reflect remediation goals; discussion that restoration might be the overall objective of the 4 pillars, or indeed the output
-

Key Themes - Fit of the 4 Pillars of Lough Neagh Action Plan with River Basin Management Plan

1. Restoration as a Priority:

- Restoration should begin immediately and include preventative measures.
- Innovative approaches (e.g. phosphorus removal by Queen’s University) are underway.

2. Alignment and Integration:

- Strong alignment between the 4 pillars and River Basin Management Plan.
- Localized approaches have proven effective and should be expanded.

3. Education and Cross-Sector Understanding:

- Education fosters trust and awareness across sectors.
- Understanding interdependencies between sectors is crucial.

4. Encouraging Proactive Behaviour:

- Recognition of industries already taking steps to reduce pollution.
- Avoid grouping responsible businesses with deliberate polluters.

Attendees 29th August

Lakeland Dairies

Lakeland Dairies

Mineral Products Association

Dale Farm

NI Water

Ulster Farmers Union

**Lough Neagh Fishermen's Co-Operative Society
Ltd.**

**Northern Ireland Meat Exporters' Association
(NIMEA)**

NI Environment Link

Dairy Council

AFBI

Lough Neagh Development Trust

**Armagh City, Banbridge and Craigavon Borough
Council**

Ballinderry Rivers Trust

NI Grain Trade Association

Loughs Agency

Attendee	Organisation	Non-Attendee	Organisation
19 th and 29 th	Mineral Products Association		Solace NI
19 th	Poseidon Fisheries Consultation		Livestock and Meat Commission
19 th	NI Grain Trade		Lough Neagh Sand Traders Association
29 th	NI Grain Trade		NIHE
19 th and 29 th	Dale Farm		Construction Employers Federation
19 th and 29 th	NI Water		Lough Neagh Partnership
19 th	Ulster Angling Federation		Friends of the Earth
19 th and 29 th	Lough Neagh Fisherman's Co-Operative Society Ltd.		DfI – Water Drainage Policy
19 th and 29 th	NI Meat Exporters' Association		Agriculture Consultants Association
19 th and 29 th	NI Environment Link		Co-Centre for Climate and Biodiversity and Water
19 th and 29 th	Dairy Council		Nature Friendly Farm Network
19 th	Marine Taskforce		NI Agricultural Producers Association
19 th	Industrial Pollution and Radiochemical Inspectorate (DAERA)		University of Ulster
19 th and 29 th	AFBI		Clean Water Sports Alliance NI
19 th and 29 th	Lough Neagh Development Trust		UK Seafood Industry Authority
19 th	The Office of Environmental Protection		National Trust
19 th	Mid Ulster District Council's Sustainability Team		Federation of Small Business

19 th	Tetra Tech (CBINI)		Lough Neagh Fisherman's Association
19 th and 29 th	Armagh City, Banbridge and Craigavon Borough Council		
19 th and 29 th	Ballinderry Rivers Trust		
19 th	Ulster Wildlife		
19 th	Lough's Agency		
29 th	Lough's Agency		
29 th	Ulster Farmers Union		
29 th	Lakeland Dairies		
29 th	Lakeland Dairies		

Table Plan Water Quality Policy Stakeholder Event

29th August 2025

The Recreational Centre, Loughry College

Table 1	Table 2	Table 3	Table 4
Lakeland Dairies	Mineral Products Association	Solace NI	Ballinderry Rivers Trust
Ulster Angling Federation	Loughs Agency	NI Environment Link	Ulster Farmers Union
NI Grain Trade Association	Friends of the Earth	Dale Farm	Armagh City, Banbridge and Craigavon Borough Council
The Office of Environmental Protection	Lough Neagh Fisherman's Association	Lough Neagh Development Trust	Lough Neagh Fisherman's Co-Operative Society Ltd.
Mid Ulster District Council's Sustainability Team	DFI – Water Drainage Policy	NI Water	AFBI
NIEA	Dairy Council	NI Meat Exporters' Association	Tetra Tech (CBINI)
DAERA	DAERA	NIEA	DAERA

Representative Name	Stakeholder Name	Email Address	Response to Event 1 (19/08/25)	Response to Event 2 (29/08/25)	Additional Information (re Deputies, Accessibility Requirements, etc)
	Lakeland Dairies		Attending	Attending	
	Mineral Products Association		Attending	Attending	
	Solace NI		Not Attending	Attending	
	Poseidon Fisheries Consultants		Attending	Not Attending	
	UK Seafood Industry Authority		Attending	Not Attending	
	Lough Neagh Partnership				
	DFI - Water Drainage Policy Division		Not Attending	Attending	
	Co-Centre for Climate & Biodiversity & Water				
	Construction Employers Federation				
	Northern Ireland Grain Trade Association		Attending	Deputy Attending	attending as deputy
	Agricultural Consultants Association				
	Dale Farm		Deputy Attending	Deputy Attending	attending as deputy
	NI Water		Attending	Attending	
	Solace NI		Deputy Attending	Deputy Attending	
	Clean Water Sports Alliance NI		Tentative	Tentative	
	Ballinderry Rivers Trust		Attending	Attending	
	Ulster Angling Federation		Deputy Attending	Deputy Attending	19th - 29th -
	Federation of Small Business				
	Lough Neagh Sand Traders Association				
	University of Ulster		Not Attending	Not Attending	No deputy
	Ulster Farmers Union		Deputy Attending	Deputy Attending	will attend as Deputy
	National Trust				
	Lough Neagh Fishermen's Co-operative Society Ltd		Attending	Attending	
	Loughs Agency		Deputy Attending	Deputy Attending	
	NIHE				
	Northern Ireland Meat Exporters' Association (NIMEA)		Attending	Attending	
	Northern Ireland Environment Link		Attending	Attending	No Dietary Requirements
	Nature Friendly Farm Network				
	Lough Neagh Fisherman's Association		Attending	Attending	
	Friends Of the Earth		Attending	Attending	
	Livestock and Meat Commission				
	Dairy Council Northern Ireland		Attending	Attending	
	Lakeland Dairies				
	Northern Ireland Marine Task Force		Attending	Not Attending	
	Industrial Pollution and Radiochemical Inspectorate (DAERA)		Attending	Attending	No Dietary Requirements
	AFBI (Science)		Attending	Attending	
	Confederation of British Industry				
	DfE (Policy)				
	Lough Neagh Development Trust		Deputy Attending	Deputy Attending	
	NI Agricultural Producers Association				
	OEP (Environmental Protection)		Deputy Attending	Deputy Attending	attending as deputy
	OEP (Environmental Protection)		Deputy Attending	Deputy Attending	attending as deputy
	Mid Ulster District Council's Sustainability Team		Attending	Attending	
					No Dietary Requirements no accessibility requirements
	CBI Northern Ireland		Attending	Attending	



Criminal Sanctions

Fixed Penalty Notice

A Fixed Penalty Notice (FPN) is a financial penalty, which is an alternative to prosecution, and if unpaid, can be dealt with by way of prosecution in the criminal courts. Non-payment is an offence.

There is a court alternative to accepting the notice. If you accept the fine, you will avoid a court summons, but if you don't accept it, you will have to appear in court.

A FPN is limited to minor offences and where one has been served, payment of the penalty discharges the liability. Where this happens, a record of the payment of the FPN will be kept and treated in the same way as a record arising from a warning.

FPNs tend to be limited between £100 and £400.

Legislative solution

This legislative solution creates a criminal offence to penalise a particular activity or a failure to do something. The solution involves making a particular act, omission or course of conduct punishable in a criminal court.

The policy driver may be:

- to discourage certain actions or behaviour by making the actions or behaviour punishable as a criminal offence;
- to encourage certain behaviour so that failure to do something is punishable as a criminal offence;
- to “give teeth” to a separate statutory requirement, so that a failure to comply with the requirement becomes a criminal offence;
- to enforce an international obligation.

Civil Sanctions

Civil sanctions are an alternative to criminal prosecution and a way of making environmental law enforcement more flexible and effective for both regulators and businesses.

Where an offence has been committed and the delivery of advice and guidance doesn't achieve the required outcome, then the regulator will consider issuing some form of sanction as well as taking any other preventive or remedial action necessary to protect both people and the environment.

Fixed Monetary Penalty

A Fixed Monetary Penalty (FMP) is a financial penalty for non-compliance and is normally appropriate for relatively minor offences which cause no direct harm, which have few lasting effects or impact on communities and where little (if any) financial benefit arises from the offence.

Variable Monetary Penalty

A Variable Monetary Penalty (VMP) is a financial penalty used for more serious cases of non-compliance where the regulator decides that prosecution is not in the public interest. The fine amount will vary depending on aggravating and mitigating circumstances

The basic formula is:

financial benefit from non-compliance + deterrent component – other costs incurred.

A VMP is issued for more serious offences including;

- when there is evidence of negligence or mismanagement;
- when there is an environmental impact;
- the removal of an identifiable financial gain or saving as a result of the

breach; and

- where it is not in the public interest to prosecute.

Legislative solution

This legislative solution creates a civil sanctions regime, for civil sanctions to be imposed by a person other than a court: frequently a public body operating as a regulator of a particular sector, or (for example) Ministers, government departments or local authorities. The aim of a civil sanction is to control behaviour in some way, but without criminalising it. The kind of civil sanctions that may be wanted, and their relationship (if any) with criminal offences, will of course depend on the context and purpose of the policy. It might, for example, be:

- to try to ensure compliance with a regulatory regime;
- to stop ongoing conduct that is causing harm or damage;
- to penalise behaviour of a certain kind

Note

A person on whom a civil monetary penalty is imposed has a right of appeal against it, and that is a key feature that distinguishes such penalties from the fixed penalty notices, where the alternative to paying the FPN is prosecution and “having your day in court”.

The main benefit of civil sanctions is speed and flexibility. Offences that are committed deliberately, recklessly or with gross negligence are more likely to result in prosecution. Where an offence was committed because of an accident or a genuine mistake it is more likely to result in the use of advice, guidance, warning or an available civil sanction. This gives regulators the option of imposing a different form of sanction (beyond a warning or caution) without the need to first go through the courts.



Summary of the Fisheries and Water Environment Bill

The following is an analysis of the Fisheries and Water Environment Bill which sets out the four main themes that underpin the policy proposals. These themes are not only present across multiple sections but also serve as the foundation for the Department's strategic direction in managing inland fisheries, aquaculture, and sea fisheries.

1. Regulation and Governance

Definition: Establishing clear legal and administrative frameworks to manage fisheries and aquaculture activities.

Evidence from the Document:

- The Fisheries and Water Environment Bill is central to modernising the legislative framework.
- Introduction of licensing and permitting systems for recreational, commercial, and sea fishing.
- Proposals for Fixed Penalty Notices (FPNs) and civil sanctions to improve enforcement flexibility.
- Alignment of aquaculture licensing with Marine Licensing to ensure consistency and legal clarity.

Explanation: This theme reflects a strong commitment to building a robust, enforceable, and adaptable regulatory system. The Department seeks to ensure that all activities are legally accountable and that enforcement mechanisms are proportionate and effective.

2. Efficiency and Modernisation

Definition: Streamlining processes, reducing administrative burdens, and improving operational effectiveness.

Evidence from the Document:

- Proposal to simplify aquaculture licensing by integrating it with existing regulatory consents.
- Use of data collection (e.g. recreational activity, catch reporting) to support evidence-based decision-making.
- Introduction of flexible enforcement tools (e.g. FPNs) to reduce reliance on court proceedings.
- Emphasis on transparent and accessible systems for stakeholders.

Explanation: Efficiency is a cross-cutting goal, aimed at making fisheries and aquaculture management more responsive, less bureaucratic, and better aligned with modern environmental governance practices.

3. Conservation and Ecosystem Protection

Definition: Safeguarding aquatic biodiversity, habitats, and fish stocks through protective measures.

Evidence from the Document:

- Adoption of the ecosystem, precautionary, and bycatch objectives from the UK Fisheries Act 2020.
- Powers to introduce and amend conservation regulations for recreational and commercial fishing.
- Enforcement of greater penalties for ecosystem degradation.
- Management of fishing rights to avoid negative impacts on fish stocks.

Explanation: Conservation is a foundational principle, ensuring that fisheries and aquaculture activities do not compromise the ecological integrity of inland and marine environments. The policies aim to balance use with protection.

4. Sustainability and Long-Term Stewardship

Definition: Ensuring that fisheries and aquaculture are managed in a way that meets present needs without compromising future generations.

Evidence from the Document:

- Inclusion of the sustainability, climate change, and scientific evidence objectives.
- Support for sustainable development and innovation in aquaculture.
- Management of commercial fisheries to ensure long-term viability of fish stocks.

- Public Angling Estate (PAE) designed to be sustainable, accessible, and affordable.

The themes outlined in the Fisheries and Water Environment Bill consultation—Regulation and Governance, Efficiency and Modernisation, Conservation and Ecosystem Protection, and Sustainability and Long-Term Stewardship—are all intrinsically linked to the protection and enhancement of water quality.

A robust regulatory framework ensures that fisheries and aquaculture activities are subject to clear environmental standards, including controls on discharges and pollutants. Streamlined, data-driven processes enable more effective monitoring and quicker responses to emerging water quality issues.

Conservation measures help safeguard aquatic habitats that are sensitive to changes in water chemistry, while sustainability objectives promote practices that maintain the ecological integrity of water bodies over the long term.

Together, these themes support a holistic approach to managing aquatic environments, recognising that healthy fish populations and productive fisheries depend on clean, well-functioning water ecosystems.

Ulster Farmers Union
475 Antrim Road
Belfast
BT15 3DA

Water Management Unit
17 Antrim Road
Tonagh
Lisburn
BT28 3AL

10 June 2025

Telephone: [REDACTED]
[REDACTED]

Dear Aileen,

**Environment Fund Water Quality Improvement Strand - FARM WATER PROJECT
(PHASE 2)**

I refer to your application for the Water Quality Improvement Strand. We have assessed your application and I am pleased to inform you that the Department is offering the level of grant outlined below, subject to the Terms and Conditions listed below.

The Department is happy to support phase 2 of the Farm Water Project subject to a clear delivery programme with measurable outputs to ensure environmental objectives are delivered. The project details and outcomes must be discussed and agreed with the project's Client Officer, [REDACTED] prior to work on the project. All statutory consents and written landowner permission must be sought prior to any works.

NIEA are prepared to fund up to [REDACTED], 85 % of eligible costs. The following aspects of the project are eligible for funding –



Table 1

Profile of expenditure

Item of expenditure	Maximum expenditure	Water Quality Improvement Grant Funding	Completion date
The Rivers Trust staff time	Continuation of training of 5 CSL Farm Advisers by Rivers Trust		February 2026
Countryside Services Ltd staff time	Continuation of training of Rivers Trust/Ballinderry Rivers Trust agri-advisors on agri-operations and policy		February 2026
UFU mileage and subsistence	Training and meetings		February 2026
The Rivers Trust mileage and subsistence	Training and meetings		February 2026
Countryside Services Ltd mileage and subsistence	Training and meetings		February 2026
Room Hire plus refreshments x 2 meetings*	Training Course Development		February 2026
Farmer participation in meetings to review Training Course £60 x 3 meetings x 20 farmers	Training Course Development		February 2026
External Expertise:			
Professional education/training services to develop Water Awareness Course*	Training course development		February 2026
Irrecoverable VAT	VAT to be paid on items marked with asterix*		
Others (please specify / Add more lines as necessary)			
The Rivers Trust overheads (20%)	20% on salary costs to cover organisational overheads		
Countryside Services Ltd overheads (20%)	20% on salary costs to cover organisational overheads		
Match Funding			
Communications (UFU in-house) – 5hrs per month @ £46.67/hour over 7 months Project promotion, awareness raising, website material, social media posts			February 2026



Steering Group Members (4 people for 3 hrs over 6 meetings @ 20/hr) Farm Water Quality Steering Group			March 2026
UFU Project Management and administration @ 1days / month @£350 / day over 8 months Project delivery			March 2026
Room Hire - Meetings			February 2026
Total Funding from Water Quality Improvement Strand:			

The funding is offered with the following conditions.

1. Permission/Consent must be sought from Natural Environment Division for work within any designation sites – Areas of Special Scientific Interest (ASSIs) or Special Areas of Conservations (SACs). CDP@daera-ni.gov.uk
2. All work to be completed by 28 February 2026 including submission of invoices alongside evidence of deliverables in order for payment to be made.
3. A monthly progress report (template provided) needs to be shared with the client officer by the end of the first week of each month (on previous month progress).
4. A post-project evaluation form must be completed at the end of the project and returned to catchmentplanning@daera-ni.gov.uk
5. A project summary, including photos must be completed at the end of the project to be published on the DAERA website.
6. All applicable conditions outlined in Indicative Conditions of Offer document must be adhered to.
7. The Department reserves the right to reduce or discontinue funding in the event that the project is not successfully meeting its objectives, if budgetary constraints arise or due to other unforeseen circumstances. Should the Department decide to reduce or discontinue funding, the Department will provide at least three months' notice.



8. The grant offer has been allocated as per the breakdown of expenditure shown in table 1 above. The grant claim must be submitted under the headings outlined using the claim form provided. The annual award will not exceed the maximum amount allocated under each heading. If you wish the Grant Team to consider re-profiling elements of this breakdown, you must submit this request as soon as possible to both the Client Officer and the Grant Team for consideration prior to expenditure.
9. The above offer is a maximum and will not be increased in the event of an increase in costs. The offer provides no guarantee of follow on funding for the same project once this offer expires.
10. The Department shall only provide financial assistance for eligible project expenditure incurred from the start date of the project.
11. Financial assistance will only be paid in respect of actual eligible costs and provided that progress reports demonstrate that the outcomes stated in your application, agreed amendments and agreed annual work plan have been achieved. If outcomes have not been achieved, financial assistance may be reduced.
12. The grant offer has been allocated as per the breakdown of expenditure shown in Table 1. The grant claim must be submitted under the headings outlined on the claim form provided. The award will not exceed the maximum amount allocated under each heading. If you wish the Grant Team to consider re-profiling elements of this breakdown, you must submit this request as soon as possible to both the Client Officer for consideration prior to expenditure.
13. This offer of financial assistance is not transferable to any other project or organisation without prior agreement of the Client Officer.
14. Ulster farmers Union must comply with the provisions of all enactments, statutory provisions and other laws operating in Northern Ireland including, but not only, those relating to planning, nature conservation, animal welfare, access, equal opportunities, fair employment and health and safety. European law, where applicable, must also be followed.
15. Ulster farmers Union must disclose details of any other financial assistance or match funding (for example in the form of grant, payment for services, loan or gift, from whatever source, public or private) towards this project within one month of confirmation of the additional funding. These could affect the financial assistance offered in this Letter of Offer.



16. The claim must contain a detailed breakdown of costs and full evidence of expenditure incurred. This must take the form of receipted invoices or copy bank/BACS statements with the appropriate payments highlighted. It may be possible to have all the documentary evidence for the project expenditure verified by way of a visit, particularly for projects that involve a large amount of paperwork for evidence of expenditure. The Client Officer may request this option for your project or, if you feel that your organisation might benefit from this option, please contact the Client Officer.
17. The Department reserves the right to suspend, defer or withhold or clawback any or all of the payments and/or require Ulster farmers Union to repay part or all of the financial assistance if:
- a) the conditions of this offer are not met; or
 - b) any information given to the Department on behalf of Ulster farmers Union in connection with the application or claims for Financial Assistance is found to be false or misleading or there has been a failure to disclose any material fact which would have had a bearing on the Department's consideration of the application; or
 - c) there is a substantial or material change in the nature, scale or timing of the project; if the project is used for purposes other than those specified in the application; or if the project has in any other way not been implemented in accordance with these conditions of offer.

Changes to the Project

18. The grant shall only be used for the purposes of the project as defined in your Grant Application and approved for financial assistance by the Department under the terms and conditions detailed in the Letter of Offer.
19. Any proposed or anticipated changes over the lifetime of the project must be notified in writing at an early stage to the Department. Continuation of financial assistance will be subject to the written approval of the Department and formal amendment to this Letter of Offer.
20. Failure to inform the Department of any changes may result in the termination of the grant and the Department may require Ulster farmers Union to repay any grant paid. Examples of significant changes, which must be notified and approved, include:



- a) change to the start or end date of the project;
- b) change to the content of the project from that set out in the original approved application, for example changing the scope, delivery or aim;
- c) change to the estimated expenditure or revenue; claims for extra items of expenditure.

The above list is not exhaustive and you must contact the Department if any doubt exists as to the need to report proposed changes.

21. The Department reserves the right to reduce or discontinue funding in the event that budgetary constraints arise or due to other unforeseen circumstances. Should the Department decide to reduce or discontinue funding, the Department will provide at least three months' notice.

Insurance

22. Ulster farmers Union shall indemnify and keep indemnified the Department against all actions, proceedings, costs, claims, demands, and liabilities arising out of or resulting from all or any of the activities associated with the project.
23. Ulster farmers Union shall maintain such insurances as are necessary to cover all possible liabilities and will ensure that adequate insurance is obtained for any asset purchased and maintained in force during its lifetime. Ulster farmers Union must ensure it has appropriate employee liability insurance, if applicable.

Publications and Promotion

24. The Department reserves the right to publish details of the project and financial assistance referred to in the Letter of Offer at any time.
25. Drafts of any materials to be printed or published (in paper, signage or web format) must be approved by the Department.
26. The funding role of the Department must be acknowledged on any promotional or interpretative material, websites or signage associated with this project. The Departments' logos must be used and are available on request. Ulster farmers Union must seek approval and obtain the correct logo/s and user guidelines by contacting the Department
27. Ulster farmers Union must notify the Department of any significant promotion or celebration of this project at least 2 months in advance of the event and co-ordinate publicity with the



Department if requested to do so. The Department support must be recognised when the project is promoted.

28. The Department requires shared ownership of all data produced. The Department reserves the right to use and publish any information collected, collated and produced through the Department financial support of this project. In the event of Ulster farmers Union ceasing to exist or transferring responsibility for this project, the Department has the right to make any information collected available to another organisation. Information may include:

- Data collected, both in the raw format and incorporated into reports etc. eg flora, fauna, built heritage, cultural heritage
- GIS data and information
- Maps and interpretative materials – including leaflets, books, CD Roms, web sites developed
- Photographs
- Research and reports
- Domain names

Staff

29. Before an officer takes up a post, a job description showing roles and priorities to be achieved in the coming year must be submitted to and agreed with the Client Officer.

30. For any staff recruitment, the Department must be invited to provide an observer for the interview panel. This is to be arranged through the Client Officer.

31. Within one month of a post being filled Ulster farmers Union must inform the Department of the post holder's name, start date and salary.

32. Ulster farmers Union is responsible for the legal implications of employing staff, including those on short-term or fixed term contracts. In the event of the project terminating early, for whatever reason, [Applicant], and not the Department, will be responsible for any redundancy or contractual obligations.

Reporting

33. The Client Officer for this project is [REDACTED]
[REDACTED]



34. A work plan identifying priorities to be achieved over the project period must be submitted to, and agreed with, the Client Officer prior to the start of the project. Precise targets must be agreed, on which reporting and monitoring will be based.

35. A final report including the outcomes of the project must be submitted to the Department within 2 months of the end of the project. The report must include:

- a) Digital photographs illustrating the achievements of the project and promotion events.
- b) A map (or GIS layer) showing the location and extent of project work undertaken as a result of this funding

Evaluation

The Department conducts post project evaluation on a sample of projects and may evaluate this project. The purpose of the evaluation is to compare actual costs with planned costs, determine whether project objectives have been met, what benefits have been derived, and lessons learnt which may influence this or similar projects in the future.

Site Works

36. The award of this grant confers consent for Ulster farmers Union to carry out specific work (subject to any mitigation measures detailed below) in designated ASSIs. This work is limited to activities and sites specified in table 1.

37. Ulster farmers Union is responsible for obtaining and complying with all necessary statutory approvals, including those relating to planning permission and Areas of Special Scientific Interest, in advance of carrying out any works for which they are required

Items of Expenditure

38. Ulster farmers Union must seek approval in advance of any expenditure over the value of £500 not specified in the Grant Application

39. Ulster farmers Union must adhere to the procurement procedures given in the guidance document, summarized in the table below:



Table 2

Summary of the procurement procedures

Estimated Value	Tender Action Required
Up to £5,000	2 Oral quotations – with fax or email confirmation. Every attempt should be made to obtain more than one quotation.
£5,001 - £30,000	4 Selected Tenders
>£ 30,000 < EU thresholds	Contact Grant Team for detailed requirements

40. The Department must be informed if you decide to sell equipment purchased within a 5 year period as the Department may require repayment of grant on a pro rata basis.

Acceptance of Offer of Financial Assistance

41. You must confirm whether you are accepting this offer and the terms and conditions contained in writing (email will suffice) no later than 2 weeks from the date of this letter.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Integrated Catchment Planning Team



Ulster Farmers' Union
475 Antrim Road
Belfast
BT15 3DA

Water Management
Unit
17 Antrim Road
Tonagh
Lisburn
BT28 3AL

Telephone: [REDACTED]
Email: catchmentplanning@
daera-ni.gov.uk

5 July 2024

Dear Aileen,

FARM WATER QUALITY OFFICER – PILOT PROJECT

I refer to your application for the Water Quality Improvement Strand 2024/25. The Water Quality Improvement Grant Decision Panel have assessed your application and I am pleased to inform you that the Department is offering the level of grant outlined below, subject to the Terms and Conditions listed below.

The project details must be discussed and agreed with the project's Client Officer, [REDACTED]

[REDACTED]
[REDACTED]

All statutory consents and written landowner permission must be sought prior to any works.

NIEA are prepared to fund up to [REDACTED] 66 % of eligible costs. Evidence of the 33% match funding must be clearly detailed and submitted to NIEA. The following aspects of the project are eligible for funding:

Table 1: Profile of expenditure

Item of expenditure	Maximum expenditure	Water Quality	Completion Date

Sustainability at the heart of a living, working, active landscape valued by everyone.



		Improvement Grant	
Farm Water Quality Officer (8 months employment)			Feb 2025
Farm Water Quality Officer – laptop, phone, PPE etc			Feb 2025
Farm Water Quality Officer – Travel, accommodation & subsistence			Feb 2025
Farm Water Quality Officer - Meetings and conferences			Feb 2025
Farm Water Quality Officer - Recruitment Training (12 days @ £350/day) Print and Design of materials for farmers			Feb 2025
Overheads - office, phone contract, paper, insurance, Microsoft licences			Feb 2025
Match funding (33%) – please detail			
Communications (UFU in-house) – 1 day per month @ £100/day (10 months) Project promotion, awareness raising,			Feb 2025
Steering Group Members (5 people @ 1/2 day per month - 10 meetings @ £237/day pro rata)			Feb 2025
UFU Project Management and administration @ 2 days / month @£100 / day (11 months)			Feb 2025
Total			

The funding is offered with the following conditions.

1. All work must be completed by 29 February 2025 including submission of invoices alongside evidence of deliverables in order for payment to be made.
2. A monthly progress report needs to be shared with the client officer by the end of the first week of each month (on previous month progress).

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3. A post-project evaluation form must be completed at the end of the project and returned to catchmentplanning@daera-ni.gov.uk
4. A project summary, including photos must be completed at the end of the project to be published on the DAERA website.
5. All applicable conditions outlined in Indicative Conditions of Offer document must be adhered to.
6. The Department reserves the right to reduce or discontinue funding in the event that the project is not successfully meeting its objectives, if budgetary constraints arise or due to other unforeseen circumstances. Should the Department decide to reduce or discontinue funding, the Department will provide at least three months' notice.
7. The grant offer has been allocated as per the breakdown of expenditure shown in Table 1 above. The grant claim must be submitted under the headings outlined using the claim form provided. The annual award will not exceed the maximum amount allocated under each heading. If you wish the Grant Team to consider re-profiling elements of this breakdown, you must submit this request as soon as possible to both the Client Officer and the Grant Team for consideration prior to expenditure.
8. The above offer is a maximum and will not be increased in the event of an increase in costs. The offer provides no guarantee of follow on funding for the same project once this offer expires.
9. The Department shall only provide financial assistance for eligible project expenditure incurred from the start date of the project.
10. Financial assistance will only be paid in respect of actual eligible costs and provided that progress reports demonstrate that the outcomes stated in your application, agreed amendments and agreed annual work plan have been achieved. If outcomes have not been achieved, financial assistance may be reduced.
11. The grant offer has been allocated as per the breakdown of expenditure shown in Table 1. The grant claim must be submitted under the headings outlined on the claim form provided. The award will not exceed the maximum amount allocated under each heading. If you wish the Grant Team to consider re-profiling elements of this breakdown, you must submit this request as soon as possible to both the Client Officer for consideration prior to expenditure.

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12. This offer of financial assistance is not transferable to any other project or organisation without prior agreement of the Client Officer.
13. Ulster Farmers' Union must comply with the provisions of all enactments, statutory provisions and other laws operating in Northern Ireland including, but not only, those relating to planning, nature conservation, animal welfare, access, equal opportunities, fair employment and health and safety. European law, where applicable, must also be followed.
14. Ulster Farmers' Union must disclose details of any other financial assistance or match funding (for example in the form of grant, payment for services, loan or gift, from whatever source, public or private) towards this project within one month of confirmation of the additional funding. These could affect the financial assistance offered in this Letter of Offer.
15. The claim must contain a detailed breakdown of costs and full evidence of expenditure incurred. This must take the form of receipted invoices or copy bank/BACS statements with the appropriate payments highlighted. It may be possible to have all the documentary evidence for the project expenditure verified by way of a visit, particularly for projects that involve a large amount of paperwork for evidence of expenditure. The Client Officer may request this option for your project or, if you feel that your organisation might benefit from this option, please contact the Client Officer.
16. The Department reserves the right to suspend, defer or withhold or clawback any or all of the payments and/or require Ulster Farmers' Union to repay part or all of the financial assistance if:
 - a) the conditions of this offer are not met; or
 - b) any information given to the Department on behalf of Ulster Farmers' Union in connection with the application or claims for Financial Assistance is found to be false or misleading or there has been a failure to disclose any material fact which would have had a bearing on the Department's consideration of the application; or
 - c) there is a substantial or material change in the nature, scale or timing of the project; if the project is used for purposes other than those specified in the application; or if the project has in any other way not been implemented in accordance with these conditions of offer.

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CHANGES TO THE PROJECT

17. The grant shall only be used for the purposes of the project as defined in your Grant Application and approved for financial assistance by the Department under the terms and conditions detailed in the Letter of Offer.
18. Any proposed or anticipated changes over the lifetime of the project must be notified in writing at an early stage to the Department. Continuation of financial assistance will be subject to the written approval of the Department and formal amendment to this Letter of Offer.
19. Failure to inform the Department of any changes may result in the termination of the grant and the Department may require Ulster Farmers' Union to repay any grant paid. Examples of significant changes, which must be notified and approved, include:
- a) change to the start or end date of the project;
 - b) change to the content of the project from that set out in the original approved application, for example changing the scope, delivery or aim;
 - c) change to the estimated expenditure or revenue; claims for extra items of expenditure.

The above list is not exhaustive and you must contact the Department if any doubt exists as to the need to report proposed changes.

INSURANCE

20. Ulster Farmers' Union shall indemnify and keep indemnified the Department against all actions, proceedings, costs, claims, demands, and liabilities arising out of or resulting from all or any of the activities associated with the project.
21. Ulster Farmers' Union shall maintain such insurances as are necessary to cover all possible liabilities and will ensure that adequate insurance is obtained for any asset purchased and maintained in force during its lifetime. Ulster Farmers' Union must ensure it has appropriate employee liability insurance, if applicable.

PUBLICATIONS AND PROMOTION

22. The Department reserves the right to publish details of the project and financial assistance referred to in the Letter of Offer at any time.

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23. Drafts of any materials to be printed or published (in paper, signage or web format) must be approved by the Department.
24. The funding role of the Department must be acknowledged on any promotional or interpretative material, websites or signage associated with this project. The Departments' logos must be used and are available on request. Ulster Farmers' Union must seek approval and obtain the correct logo/s and user guidelines by contacting the Department.
25. Ulster Farmers' Union must notify the Department of any significant promotion or celebration of this project at least 2 months in advance of the event and co-ordinate publicity with the Department if requested to do so. The Department support must be recognised when the project is promoted.
26. The Department requires shared ownership of all data produced. The Department reserves the right to use and publish any information collected, collated and produced through the Department financial support of this project. In the event of Ulster Farmers' Union ceasing to exist or transferring responsibility for this project, the Department has the right to make any information collected available to another organization. Information may include: Data collected, both in the raw format and incorporated into reports etc. eg flora, fauna, built heritage, cultural heritage
- GIS data and information
 - Maps and interpretative materials – including leaflets, books, CD Roms, web sites developed
 - Photographs
 - Research and reports
 - Domain names

STAFF

27. Before an officer takes up a post, a job description showing roles and priorities to be achieved in the coming year must be submitted to and agreed with the Client Officer.
28. For any staff recruitment, the Department should be given the opportunity to observe on the interview panel. This is to be arranged through the Client Officer.
29. Within one month of a post being filled Ulster Farmers' Union must inform the Department of the post holder's name, start date and salary.

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30. Ulster Farmers' Union is responsible for the legal implications of employing staff, including those on short-term or fixed term contracts. In the event of the project terminating early, for whatever reason, Ulster Farmers' Union, and not the Department, will be responsible for any redundancy or contractual obligations.

REPORTING

31. The Client Officer for this project is [REDACTED]

32. A work plan identifying priorities to be achieved over the project period must be submitted to, and agreed with, the Client Officer prior to the start of the project. Precise targets must be agreed, on which reporting and monitoring will be based.

33. A final report including the outcomes of the project must be submitted to the Department within 2 months of the end of the project. The report must include:

- a) Digital photographs illustrating the achievements of the project and promotion events.
- b) A map (or GIS layer) showing the location and extent of project work undertaken as a result of this funding.

EVALUATION

34. The Department conducts post project evaluation on a sample of projects and may evaluate this project. The purpose of the evaluation is to compare actual costs with planned costs, determine whether project objectives have been met, what benefits have been derived, and lessons learnt which may influence this or similar projects in the future.

SITE WORKS

35. The award of this grant confers consent for Ulster Farmers' Union to carry out specific work (subject to any mitigation measures detailed below) in designated ASSIs. This work is limited to activities and sites specified in table 1.

36. Ulster Farmers' Union is responsible for obtaining and complying with all necessary statutory approvals, including those relating to planning permission and Areas of Special Scientific Interest, in advance of carrying out any works for which they are required.

ITEMS OF EXPENDITURE

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37. Ulster Farmers' Union must seek approval in advance of any expenditure over the value of £500 not specified in the Grant Application.
38. Ulster Farmers' Union Must adhere to the procurement procedures given in the guidance document, summarized in the table below:

Table 2: Summary of the procurement procedures

Estimated Value	Tender Action Required
Up to £5,000	2 Oral quotations – with fax or email confirmation. Every attempt should be made to obtain more than one quotation.
£5,001 - £30,000	4 Selected Tenders
>£ 30,000	Contact Grant Team for detailed requirements

39. The Department must be informed if you decide to sell equipment purchased within a 5 year period as the Department may require repayment of grant on a pro rata basis.

ACCEPTANCE OF OFFER OF FINANCIAL ASSISTANCE

40. You must confirm whether you are accepting this offer and the terms and conditions contained in writing (email will suffice) within 10 working days from the date of this letter.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Integrated Catchment Planning Team

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Ulster Farmers' Union
475 Antrim Road
Belfast
BT15 3DA

Water Catchment Unit
17 Antrim Road
Tonagh
Lisburn
BT28 3AL

23rd April 2026

Telephone: [REDACTED]
Email: catchmentplanning@daera-ni.gov.uk

Dear Aileen,

**Environment Fund Water Quality Improvement Strand
Farm Water Project (Phase 3)**

I refer to your application for the Water Quality Improvement Strand. The panel have assessed your application and I am pleased to inform you that the Department is offering the level of grant outlined below, subject to the Terms and Conditions listed below.

The project details must be discussed and agreed with the project's Client Officer, [REDACTED] prior to work on the project. All statutory consents and written landowner permission must be sought prior to any works.

NIEA are prepared to fund up to [REDACTED] – 82 % of eligible costs. The following aspects of the project are eligible for funding:

Table 1 - Profile of expenditure

Item of expenditure	Maximum expenditure	Match Funding Amount	Water Quality Improvement Grant Funding
Adviser training			██████
Adviser training			██████
Farmer training events 6 x room hire and refreshments			██████
Farmer participation in Training Course £50 x 6 meetings x 20 farmers			██████
Farm Water Champions – farm visits x 6 @£786 (CAFRE rate)			██████
Trainer costs – delivery of training to farmers			██████
Facilitation of Farm Water Champions			██████
(UFU in-house) – 5hrs per month @ £46.67/hour over 7 months		██████	
Steering Group Members (4 people for 3 hrs over 6 meetings @ 20/hr)		██████	
UFU Project Management and administration @ 1days / month @£350 / day over 8 months		██████	
Room Hire		██████	
Match Funding		██████	
Total Funding from Water Quality Improvement Strand:			██████

The funding is offered with the following conditions.

1. Additional educational resources regarding Citizen Science can be found on: <https://www.sourcetotap.eu/educators-citizen-scientists/love-your-water/>.
2. Additional educational resources for teachers and educators can be found on: <https://www.sourcetotap.eu/educators-citizen-scientists/>.



3. Persons delivering the project must declare any conflicts of interest or potential conflicts of interest with the client officer.
4. All quotations received in support of grant expenditure to be claimed must be on official company headed paper.
5. All work to be completed by 28 February 2027 including submission of invoices alongside evidence of deliverables in order for payment to be made.
6. A monthly progress report (template provided) needs to be shared with the client officer by the end of the first week of each month (on previous month progress).
7. A post-project evaluation form must be completed at the end of the project and returned to catchmentplanning@daera-ni.gov.uk
8. A project summary, including photos must be completed at the end of the project to be published on the DAERA website.
9. All applicable conditions outlined in Indicative Conditions of Offer document must be adhered to.
10. The Department reserves the right to reduce or discontinue funding in the event that the project is not successfully meeting its objectives, if budgetary constraints arise or due to other unforeseen circumstances. Should the Department decide to reduce or discontinue funding, the Department will provide at least three months' notice.
11. The grant offer has been allocated as per the breakdown of expenditure shown in Table 1 above. The grant claim must be submitted under the headings outlined using the claim form provided. The annual award will not exceed the maximum amount allocated under each heading. If you wish the Grant Team to consider re-profiling elements of this breakdown, you must submit this request as soon as possible to the Client Officer for consideration prior to expenditure.
12. The above offer is a maximum and will not be increased in the event of an increase in costs. The offer provides no guarantee of follow on funding for the same project once this offer expires.
13. The Department shall only provide financial assistance for eligible project expenditure incurred from the start date of the project.



14. Financial assistance will only be paid in respect of actual eligible costs and provided that progress reports demonstrate that the outcomes stated in your application, agreed amendments and agreed annual work plan have been achieved. If outcomes have not been achieved, financial assistance may be reduced.
15. This offer of financial assistance is not transferable to any other project or organisation without prior agreement of the Client Officer.
16. Ulster Farmers' Union must comply with the provisions of all enactments, statutory provisions and other laws operating in Northern Ireland including, but not only, those relating to planning, nature conservation, animal welfare, access, equal opportunities, fair employment and health and safety. European law, where applicable, must also be followed.
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19. The Department reserves the right to suspend, defer or withhold or clawback any or all of the payments and/or require Ulster Farmers' Union to repay part or all of the financial assistance if:
- a) the conditions of this offer are not met; or
 - b) any information given to the Department on behalf of Ulster Farmers' Union in connection with the application or claims for Financial Assistance is found to be false or misleading or there has been a failure to disclose any material fact which would have had a bearing on the Department's consideration of the application; or



- c) there is a substantial or material change in the nature, scale or timing of the project; if the project is used for purposes other than those specified in the application; or if the project has in any other way not been implemented in accordance with these conditions of offer.

Changes to the Project

20. The grant shall only be used for the purposes of the project as defined in your Grant Application and approved for financial assistance by the Department under the terms and conditions detailed in the Letter of Offer.
21. Any proposed or anticipated changes over the lifetime of the project must be notified in writing at an early stage to the Department. Continuation of financial assistance will be subject to the written approval of the Department and formal amendment to this Letter of Offer.
22. Failure to inform the Department of any changes may result in the termination of the grant and the Department may require Ulster Farmers' Union to repay any grant paid. Examples of significant changes, which must be notified and approved, include:
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The above list is not exhaustive and you must contact the Department if any doubt exists as to the need to report proposed changes.

23. The Department reserves the right to reduce or discontinue funding in the event that budgetary constraints arise or due to other unforeseen circumstances. Should the Department decide to reduce or discontinue funding, the Department will provide at least three months' notice.

Insurance

24. Ulster Farmers' Union shall indemnify and keep indemnified the Department against all actions, proceedings, costs, claims, demands, and liabilities arising out of or resulting from all or any of the activities associated with the project.



25. Ulster Farmers' Union shall maintain such insurances as are necessary to cover all possible liabilities and will ensure that adequate insurance is obtained for any asset purchased and maintained in force during its lifetime. Ulster Farmers' Union must ensure it has appropriate employee liability insurance, if applicable.

Publications and Promotion

26. The Department reserves the right to publish details of the project and financial assistance referred to in the Letter of Offer at any time.

27. Drafts of any materials to be printed or published (in paper, signage or web format) must be approved by the Department.

28. The funding role of the Department must be acknowledged on any promotional or interpretative material, websites or signage associated with this project. The Departments' logos must be used and are available on request. Ulster Farmers' Union must seek approval and obtain the correct logo/s and user guidelines by contacting the Department.

29. Ulster Farmers' Union must notify the Department of any significant promotion or celebration of this project at least 2 months in advance of the event and co-ordinate publicity with the Department if requested to do so. The Department support must be recognised when the project is promoted.

30. The Department requires shared ownership of all data produced. The Department reserves the right to use and publish any information collected, collated and produced through the Department financial support of this project. In the event of Ulster Farmers' Union ceasing to exist or transferring responsibility for this project, the Department has the right to make any information collected available to another organisation. Information may include:

- Data collected, both in the raw format and incorporated into reports etc. e.g. citizen science monitoring, flora, fauna, built heritage, cultural heritage.
- GIS data and information
- Maps and interpretative materials – including leaflets, books, CD Roms, web sites developed
- Photographs
- Research and reports
- Domain names



Staff

31. Before an officer takes up a post, a job description showing roles and priorities to be achieved in the coming year must be submitted to and agreed with the Client Officer.
32. For any staff recruitment, the Department must be invited to provide an observer for the interview panel. This is to be arranged through the Client Officer.
33. Within one month of a post being filled Ulster Farmers' Union must inform the Department of the post holder's name, start date and salary.
34. Ulster Farmers' Union is responsible for the legal implications of employing staff, including those on short-term or fixed term contracts. In the event of the project terminating early, for whatever reason, Ulster Farmers' Union and not the Department, will be responsible for any redundancy or contractual obligations.

Reporting

35. The Client Officer for this project is [REDACTED]
36. A work plan identifying priorities to be achieved over the project period must be submitted to, and agreed with, the Client Officer prior to the start of the project. Precise targets must be agreed, on which reporting and monitoring will be based.
37. A final report including the outcomes of the project must be submitted to the Department within 2 months of the end of the project. The report must include:
 - a) Digital photographs illustrating the achievements of the project and promotion events.
 - b) A map (or GIS layer) showing the location and extent of project work undertaken as a result of this funding.

Evaluation

38. The Department conducts post project evaluation on a sample of projects and may evaluate this project. The purpose of the evaluation is to compare actual costs with planned costs, determine whether project objectives have been met, what benefits have been derived, and lessons learnt which may influence this or similar projects in the future.



Site Works

39. Ulster Farmers' Union is responsible for obtaining and complying with all necessary statutory approvals, including those relating to planning permission and Areas of Special Scientific Interest, in advance of carrying out any works for which they are required.

Items of Expenditure

40. Ulster Farmers' Union must seek approval in advance of any expenditure over the value of £500 not specified in the Grant Application.
41. Ulster Farmers' Union must adhere to the procurement procedures given in the guidance document, summarized in the table below:

Table 2 - Summary of the procurement procedures

Estimated Value	Tender Action Required
Up to £10,000	Provide evidence that 2 prices have been sought where this is possible*
£10,001 - £50,000	3 written quotations are sought, where this is possible*

*For some specialist supplies or services there may only be one supplier in the market. If this is the case, sufficient justification for not seeking a second price check should be documented.

42. The Department must be informed if you decide to sell equipment purchased within a 5 year period as the Department may require repayment of grant on a pro rata basis.

Acceptance of Offer of Financial Assistance

43. You must confirm whether you are accepting this offer and the terms and conditions contained in writing (email will suffice) no later than 2 weeks from the date of this letter.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

[Redacted Title]

Integrated Catchment Planning Team

