

**COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE
168th MEETING**

KLONDYKE BUILDING
GASWORKS BUSINESS PARK, BELFAST
Friday 19th May 2017
10.00 AM

Those present:

Members:

Dr. A. H. Kirkpatrick (Chair)
Prof. S. Christie
Dr. A. Cooper
Ms P. Davidson
Dr. S. McCabe
Mr. O. Murnion
Prof. J. Orford
Mrs. E. Smyth

Officials:

Dr. S. McGuckin
Mr. Ken Bradley
Ms. M. Taylor (Item 3)
Mr. S. McDougall, Secretariat
Mr. J. Ramsey, Secretariat

The Chair welcomed everyone to the meeting.

1. Apologies

Apologies were received from Mr. Kelly and Prof. Platt. Dr. McGuckin was present to deputise for Ms. Anderson. The Chair informed Members that Mr Murnion would be attending the meeting but had been delayed and that he would be contributing to an update on the EU exit issue.

2. Declarations of interest

The Chair asked if there were any declarations of interest in terms of the items on the agenda and reminded the Council that it was acceptable to declare at any point during the meeting. None were declared.

3. Access to the Countryside

3.1 The Chair welcomed Mr. Ken Bradley and Ms. Maia Taylor to the meeting and introduced Ms. Taylor to the Council. Mr. Bradley and Ms. Taylor then proceeded to give updates on the policy and operational aspects of this topic. Mr. Bradley referred to his letter dated 28 March 2017 informing stakeholders that the Department had begun a review of Outdoor Recreation Legislation. Ms. Anderson will Chair the new Strategic Outdoor Recreation group and the National Outdoor Recreation Forum (NORF) Chair will be an observer on it. The complexity of the legislative background was noted.

The Chair thanked Mr. Bradley and Ms. Taylor for their updates and opened the topic to the floor for questions.

3.2 In the discussion reference was made to the Outdoor Recreation Action Plan for Northern Ireland, in particular the proposed outcomes (page 22) and the

reporting and monitoring structures for the plan (page 20). Points discussed included the provision of Access officers, the ability of other groups to make input to the NORF and clarification on what exactly was being consulted on. Mr. Bradley then mentioned to the Council that the response date had been extended to the 30th June. Mr. Bradley agreed to provide a summation of the responses to the Council at its next meeting (30/6/17). It was also agreed that Council members would comment on Mr. Bradley's letter and reply via the secretariat to the Chair, by the 7/6/17.

Action 3.2.1 Access to the Countryside - Council members to respond to Mr. Bradley's letter (Review of Outdoor Recreation legislation relating to DAERA) via the Secretariat by the 7th June 2017. The final deadline for comments is 30th June.

Action 3.2.2 Access to the Countryside - Mr. Ken Bradley to attend the next CNCC meeting and update the Council on the progress of the consultation on the Review of the Outdoor Recreation legislation relating to DAERA.

Mr. Murnion arrived at the meeting at this point 10.25.

3.3 Mr. Murnion made a declaration of interest that he was a trustee of Mourne Mountain West and a landowner. He stressed the value of proper pre-notification of landowners and consultation with them before outdoor recreation events were organised in a locality. He stressed that he was a sympathetic landowner but to get buy-in from rural communities the ways of approaching and involving them needed to evolve. Dr. Cooper commented that the Outdoor Recreation Access Plan was a well-produced document but it needed to engage more with agricultural issues. Agriculture has to be involved both when rolling out existing legislation and in making positive changes. He also drew attention to loss of historic networks of tracks as the landscape and its use altered over time.

3.4 Discussion then moved to the structure of NORF and those represented on the Forum. Members discussed the representation and structure of the Outdoor Recreation Forum. Mr. Bradley noted that access was a cross cutting issue and that responsibility would rest with the relevant Minister.

Ms. Davidson stated that in a previous role she had worked for a Local Council and held a remit for access and asked if NIEA still had an Access Officer. Ms Taylor replied that NIEA had access officers although this number had been reduced from three to two. Ms. Davidson commented that it seemed as though there had been little progress on access issues since she had worked on the topic and noted that the complexity and scale of NI landholdings made it more difficult to negotiate longer routes. There was a need to think about what model suits the NI situation. Prof. Christie stressed the need for encouragement and incentives. It was noted that bio-security issues are important to landowners and Mr. Murnion commented that he grazed a site where a wide path gave the public access to the shore and he has realised its value in preventing contact between his cattle and neighbouring livestock.

3.5 Members noted that Part 9 (coastal access) of the Marine and Coastal Access Act 2009 had never applied to Northern Ireland. This Act had enabled the

making the Northern Ireland Marine Act 2013 which did not make any provision for coastal access. In reply to a question whether this was likely to be reviewed, Mr. Bradley informed Members that this matter had been raised by a number of groups in discussion with the Department and was expected to be raised again in any consultation.

3.6 Mr. Murnion stressed the potentially important role DAERA had in relation to recreation and access to land held as common grazing because of its policy role in relation to the common land trusts of which there are twelve in NI. He pointed out that often people in communities nearby were unaware of historic rights they held but that DAERA could have a strategic role in helping communities make the most of new opportunities. Mr. Murnion reiterated that he himself was a Trustee for part of the Mourne Mountains and illustrated how the board of trustees worked with DAERA. He also raised the issue of connectivity around towns and Mrs Smyth pointed out that access is about more than just recreation and tourism needs and suggested any review should consider the addition of the word “access” to the title of the action plan for NI.

4. Departmental Update

4.1 The Chair welcomed Dr. McGuckin to the meeting. Dr. McGuckin gave an outline of her duties and responsibilities in her new post as Head of Natural Science in NIEA and explained how it fitted with the strategic approach for the Division. Dr. McGuckin noted the limited time left to access EU monies and that the Department wished to get the best value from EU funds for as long as possible. Dr. McGuckin then updated the Council on the Programme of Asset Management Planning. Letters of offer had been sent on 25 SAC Management Plans covering 4500ha and a further 20 or more were being developed for sites dependent on agriculture via the Rural Development Programme funds. Management Plans had been initiated for 40 out of 57 SACs. Members stressed the importance of specialist and specific management on designated sites and welcomed these developments. Dr. Cooper drew attention to the fact that there were significant areas of priority habitats out-with designated sites and it was important these areas were not ‘invisible’ to other Departments, particularly in relation to planning matters. This was a serious evidence gap and a full cover survey of NI habitats was needed. Ms. Davidson referred to the Welsh map and asked if there were any aspirations for a similar exercise in NI? Dr. McCabe noted that NIEL was looking at the options on Priority Habitat mapping and he asked if there were any avenues available for the use of EU funding. Dr. McGuckin informed Council that NIEA continued to engage with JNCC and DEFRA, as well as CEH to investigate the potential of remote sensing techniques but because of timing there were no plans at present to seek EU funding. Prof. Orford queried how fauna might be dealt with and whether vegetation could form a proxy for such species. He asked if more thought should be given to mobile species in the terrestrial landscape. Dr. Cooper took the view that habitats remain the best quick indicator of the nature conservation resource and therefore remote sensing data formed a good starting point for any inventory. The importance of professional ecologists giving specific guidance on long-term monitoring of benefits of intervention was discussed. Members also noted the challenge from economists about benefits from agri-environment spending in

biodiversity terms and that species and habitats do not always react quickly enough for financial reporting periods.

4.2 The role of decision-making bodies in relation to their biodiversity duty was noted. Dr. McCabe suggested that natural capital accounting was a way to engage with the economists and that the UK Water Industry in particular was taking the idea seriously. Mr. Bradley updated Members on current DAERA thinking.

4.3 Members were given an update on the Environmental Farming Scheme and informed of the high number of applications to the higher level scheme. Successful applicants would be invited to develop Management plans. Members discussed payments that would be available to landowners/farmers under the Higher Level Scheme. At this point Mr. Murnion made a declaration of interest. As a farmer he had been in receipt of monies under the previous agri-environment scheme. Dr McGuckin advised that there had been discussion with the area-based payment team. There would also be an opportunity for further feedback after the first tranche but the Department was pleased there had been so much initial interest in the scheme.

4.4 Discussion then moved to the operation of the scheme and the development of the management plans. Council noted that farmers would have access to a list of trained conservation management planners and these planners will have access to the Department's data to enable them to make Rapid Condition Assessments. Dr. McCabe commented on the role of biodiversity in the draft Programme for Government. Council then held a brief discussion on what the term "favourable management" meant.

4.5 At this point the Chair suggested Members may wish to have a site visit at some point in the summer to see management planning in action and how it works on the ground.

Action 4.5.1 Departmental update – Chair to contact Ms. H. Anderson and Dr. McGuckin to discuss the possibility of the Council having a visit to an appropriate site.

4.6 Dr McGuckin updated the Council on nitrogen deposition mapping with Members stressing the significance of the issue for NI and the need for more monitoring stations.

4.7 Dr McGuckin then updated Council on the recent wildfires, stressing the close co-operation with Fire and Rescue Service. Mourne Heritage Trust had carried out extensive work on fire breaks in their area.

At this point it was suggested that in future a short summary of the issues contained in the Departmental update be circulated along with the meeting papers before each CNCC meeting.

Action 4.7.1 Departmental update – Secretariat to provide a short list of bullet points linked to the Departmental update.

5. Chairman's Report

5.1 The Chair advised members that letters would be issued to key stakeholders such as political parties and local authorities.

5.2 The Chair then informed that Members' Assessment reports were due for completion and would be circulated shortly.

5.3 The Chair then informed the Council that as a result of their engagement with Graham Wilkinson and his EU Exit team, the Chair had been invited to nominate three Council members able to reflect a diverse range of environmental issues for the DAERA Environment Stakeholder Group (Chair, Deputy Chair and Mr. O. Murnion). The nominations were briefly discussed and a Member asked if a substitute could attend the meeting when one or more of the three nominated members could not attend. It was decided that the secretariat would contact the EU Exit team and clarify this point. It was also agreed that CNCC deliberations would be fed into the stakeholder group.

Action 5.3.1 Chairman's Report – Secretariat to contact Janet Uhlemann to see if the Council could nominate an alternate, in instances when one of the three permanent CNCC Members is unavailable to attend the working group.

5.4 The Chair then informed the Council that the Department for Communities was in the process of reviewing its 22 Arm's Length Bodies. On 22nd November 2016, a Private Member's Motion was passed in the Assembly calling for a review of Arm's Length Bodies across government and following this the former DfC Minister commissioned a review. The review will highlight where efficiency, effectiveness, sustainability and accountability can be improved across the functions currently delivered and explore opportunities to create new, or further develop existing, shared services, increasing collaboration and maximising funding for front line services. There will be benchmarking with other jurisdictions. The Chair had attended a review event on 4th April. The Chair informed Members that CNCC could also be subject to review at some point.

5.5 The Chair then gave an update on the Public Board Mentoring Scheme which involves collaboration between QUB Postgraduate School and NI Public Bodies and has the support of the Commissioner for Public Appointments. CNCC was one of 15 boards selected to take part. Other boards involved in the scheme included Tourism NI, the Consumer Council, the Health and Social Care Board and a number of the Health Trusts. The Chair had attended the launch event on the 27th April which was addressed by Prof. Margaret Topping, Dean of the QUB Graduate School and Judena Leslie, Commissioner for Public Appointments. The Chair had been introduced to the mentee at the launch event and had already held one meeting with the mentee. The Chair described what was expected from each of the parties and noted that the mentee would be attending a couple of CNCC meetings as an observer.

6. Marine and Coastal Working Group (MCWG) update

6.1 Ms Davidson and Prof Orford briefly updated the Council on the outcomes of

the MCWG meeting on 9th May 2017. The outcome of Council and MCWG deliberations on a marine license for Killough oysters was noted. The Council then discussed the issue of good practice in HRA/HRI/EIA Assessments. The Deputy Chair had produced a first draft of a paper on this topic and was in the process of reviewing it following discussions at the last MCWG meeting and developing a flowchart of the steps in the process. Members were informed that DAERA Marine & Fisheries Division was in the process of reviewing its guidance on this matter.

Action 6.1.1 Marine and Coastal Working Group (MCWG) update – Chair to write to MCWG and formally ask them to draft a paper to discuss these issues for response at the September CNCC meeting.

Action 6.1.2 Marine and Coastal Working Group (MCWG) update – Chair to write back to Ms. Colette Connor responding to her request for a meeting later in the year.

6.2 MCWG members were very conscious of the seascapes classification sitting unused and drew this to Council’s attention as a neglected aspect of terrestrial/marine planning.

6.3 The MCWG had considered the new Cruise Liner Planning application (D3) and was concerned about associated air pollution, especially since so little monitoring data was available.

6.4 The Council briefly discussed the draft document on a MCWG critical issues database being developed by Prof. Platt which they will bring back to CNCC

Lunch 13.00 – 13.30

7. Forward Consultations

7.1 Council reviewed the upcoming public consultations.

Dr McGuckin and Mr Bradley left the meeting at 13.50

8. Meeting Reports

8.1 The Council briefly discussed the meeting report from the “Song of the Bog” conference (10/5/17).

9 &10. CNCC and EU Exit Issues

9.1 The Chair gave a brief introduction, reminding Members of CNCC’s engagement with the issues to date. Members were asked to give some thought as to where negative impacts of agriculture on the environment might arise as a result of EU exit and what supplies of public goods might become threatened as

a result. Can a case be made for supporting certain public goods and what should be a priority?

9.2 The Chair then invited Mr. Murnion to share some background information on the farming industry in NI. Mr. Murnion also compared NI farming with other parts of the EU. He said that in the EU as a whole, 80% of farmers get 20% of the CAP. He noted the importance of CAP funding to the industry here and the smaller number of large landowners compared to the rest of the UK. The average size of a NI farm is 70 acres. He discussed the role of both intensive and extensive farming and their relationship to CAP payments. In the following discussion Members noted that the majority of farm income in NI derives from CAP and that many producers are faced with a situation where the market prices do not pay for the costs of food production. Members noted that changes to agricultural subsidies would have consequences for farm families and rural communities and the rationale for future support needed careful thought as to the social, environmental and economic consequences. The potential role and value of scenarios of change in informing policy proposals was mentioned.

9.3 The role of the “Going for Growth” Strategy was discussed. Members stressed the need to tackle pollution from intensive agriculture, including ammonia and referred to the work by John Gilliland’s group on a sustainable agricultural land management strategy. Members discussed the potential impacts of further intensification on Northern Ireland’s natural capital and the regionalisation and localisation of risk. The potential to develop payments for ecosystem services was discussed. The future relevance of the ‘polluter pays’ principle was also discussed.

9.4 Prof. Christie offered to pull together a background document on agriculture, in consultation with other Members, to assist those attending the first meeting of the DAERA Stakeholder Group.

9.5 Dr. McCabe drew the attention of Members to a relevant event with Vivienne Brady at QUB on 23rd June.

Dr. McCabe left the meeting at 14.50
Prof. Orford left the meeting at 15.00

11. Minutes of previous meeting (Chair) and matters arising.

Action 11.1.1 Minutes of previous meeting (Chair) and matters arising.
Given the number of remaining Members the Chair requested the Secretariat to circulate the minutes asking if the members were content that the draft minutes from 24th March 2017 were a true record of the meeting.

Matters Arising

11.1 All Council Members to provide comment on the revised draft Peatlands Strategy paper and Dr. Cooper to lead on drafting the paper. Dr. McCabe to lead on drafting a

summary paper once the strategy has been finalised and agreed by Council (item 4.2 of minutes of 25/11/2016). **Ongoing.**

11.2 CNCC Chair to contact Mr. John Speers seeking clarification on the status of the Coastal Forum (item 7.1 of minutes of 25/11/2016). **Letter sent and reply received. The next Forum meeting is dependent on Ministers being appointed to office and the Department will brief any incoming Minister. Completed. To be removed.**

11.3 Mrs. Smyth to report back to Council in relation to heritage and AONB funding (item 8.5 of minutes of 25/11/2016). **Ongoing.**

11.4 Intranet – Chair and secretariat to explore idea (item 7.5 of minutes 27/11/15). Members expressed support for the idea of a dedicated CNCC internet space to facilitate handling of information. **Ongoing.**

11.5 Departmental reorganisation. Clarification from the Department- ongoing covered as a standing item in the Departmental update.

11.6 Mr McDougall to raise the issue of further recruitment to the Council with Helen Anderson (item 4.2.1 of minutes of 27/5/16). **Issue has been raised. Ongoing.**

11.7 Chair to develop a paper for Ms. Anderson outlining the Council's ambition for its working groups and its wish to develop, subject to resources (item 4.3.2 of minutes of 27/5/16). **Ongoing.**

11.8 Consideration of Landscape Character Assessment process in relation to Sustainability Appraisal – Mrs. Smyth **Ongoing. The Chair to contact Mr Pete Mullan (Landscape Institute for (NI)).**

11.9 Council Members to send comments on the briefing to Dr. McCabe by 3/2/2017 and Dr. Cooper to incorporate comments/ material into the peatlands strategy with a view to a final draft being brought to CNCC at its next meeting (item 6.1.1.and item 6.1.2 of minutes of 27/1/2017). **Completed. To be removed.**

11.10 Chair to write to Mr. Graham Wilkinson thanking him for his team's engagement with CNCC (item 8.2 of minutes of 27/1/2017). **Completed.**

11.11 Secretariat to contact the DAERA greenhouse gas team (item 10.2 of minutes of 27/1/2017). DAERA team requested questions from CNCC. **Ongoing – questions have been sent and the team is reviewing these.**

11.12 Council Members to send comments specific to the proposed LNR to secretariat by 7th April for collation by the Chair (item 3.2.1 of minutes of 24/320/17). **Completed.**

11.13 Chair to send an endorsement letter to the Chief Executive of Mid and East Antrim Council (LNR) (item 3.2.2 of minutes of 24/3/2017). **Completed. To be removed.**

11.14 Strategic LNR issues to be sent to secretariat by 12th April for collation by the Chair (item 3.3.1 of minutes of 24/3/2017). **Ongoing. Secretariat to email council seeking comments by 2nd June.**

11.15 Secretariat to facilitate the half-day workshop on EU exit by organising a suitable venue, date and booking the room and refreshments (item 4.4.1 of minutes of 24/3/2017). **Completed. To be removed**

11.16 Deputy Chair to lead a power mapping exercise as part of the workshop event. Results to be reported back to Chair and Council (item 4.4.2 of minutes of 24/3/2017). **Completed and taken under agenda item 9. To be removed.**

11.17 Mr. Bradley to contact CNCC at an early stage of the review of the Biodiversity Strategy (item 5.2 of minutes of 24/3/2017). **Ongoing.**

11.18 Chair to write formally withdrawing CNCC's objection to the granting of the licence (item 7.2 of minutes of 24/3/2017). **Completed and reply received. Completed. To be removed.**

11.19 Chair to respond to Mr. Murphy's letter (item 14.1 of minutes of 24/3/2017). **Completed. To be removed.**

Prof. Christie left the meeting at 15.10

12. Date of next meeting.

13.1 Date of the next meeting 30th June 2017.

13. AoB.

No items raised under AOB.

The meeting concluded at 15.20.