

**DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS
SALMON AND INLAND FISHERIES FORUM**

Note of Proceedings-

MINUTES OF THE MEETING OF THE *SALMON AND INLAND FISHERIES FORUM*
NI HELD VIA WEBEX VIDEO LINK ON **WEDNESDAY 8th December 2021**

Present

Jim Haughey (JH) - Chair
Gary Houston (GH)
Robbie Marshall (RM)
Pat Close (PC)
Albert Keys (AK)

Apologies

Mr Paul Johnston (PJ)
Mr John McWilliams (JMcW)
Mr Jack Tisdall (JT)
Mr Maurice Parkinson (MP)

DAERA Officials in attendance

Mr Damian McCann (DMc)
Mr David Mann (DM)
Mr Alan McCurry (Minutes)

The Chair welcomed everyone to the meeting. The quorum for a meeting of the Forum is 6. It was decided to continue with the meeting with those present.

1. Apologies – see above.

2. Minutes of the previous two meetings for formal approval - 16th June 2021 & 15th September 2021

No objections to meeting minutes for 16th June and 15th September 2021. Meeting minutes were formally approved.

3. Matters arising from the last meeting (Actions Points)

The Chair advised members that there had been 3 action points from the September meeting, outlined below.

- Chair to draft submission to Water Framework Directive River Basin Management Plan on water quality for circulation to members before being submitted to DAERA. **Actioned**

The Chair advised that further suggestions had been received from SIFF members for input to his draft submission, however given the tight timescale the Chair felt there

would not have been enough time to seek group approval of a 2nd draft. The submission was submitted as per the first draft with high level and concise points made.

- The Chair to amend and create a 2nd Draft of June Minutes and submit to DMc for review and to be circulated to members for comment/agreement. **Actioned**

The Chair advised a 2nd Draft of the June minutes had been agreed and approved as per section 2 above.

- SC to check with NIEA regarding Lough Erne habitat screening/assessment. **Actioned** (See update below)

DAERA Update

IF met with NIEA, Conservation, Designation and Protection Unit to review the HRA for commercial fishing on Lough Erne and all supporting documentation was provided including the HRA, Lough Erne permit policy and the draft Fishery Management Plan (FMP) for L Erne. NIEA were content with the initial screening carried out by AFBI and its outcome. They have suggested that it would be helpful if AFBI provide some additional supportive comments in the document to explain the rationale behind the HRA assessment. AFBI are now taking forward these changes to the HRA and an updated copy will be provided in due course.

4. Lough Erne Commercial Permit Fishing Policy / Lough Erne Habitat Screening/ Assessment (Gary Houston – UAF paper)

The Chair referred to recent papers that had been circulated to members by DAERA including a paper from GH.

GH - There is a legal requirement for a habitat assessment to be carried out correctly before a policy can be introduced, which has not been done. The situation is similar to that in Lough Corrib in Inland Fisheries Ireland (IFI) area.

Chair - Was there an assessment in 2018, which led to a policy change?

GH The new policy reduced commercial fishing which is adverse to Special Area of Conservation of Erne and the Swanlinbar River. The policy developed is detrimental to species such as pearl mussels and salmonids. Through the Fisheries Act we have protected non-native species ahead of the native species.

DMc - Due process was followed by the Agri-Food Biosciences Institute (AFBI) in performing the Habitats Regulations Assessment and by DAERA Inland Fisheries in the formulation of the Lough Erne Commercial Fishing Policy. NIEA Conservation,

Designation and Protection Unit are content that the policy compliant. It is incorrect to say the policy is non-compliant or this is not legal or damaging commercial fishing. DAERA in reviewing this policy has taken consideration of the current available scientific evidence of fish stocks in Lough Erne from the AFBI. Scientific evidence, wider policy objectives and existing legislation must be fully considered when developing policy.

GH – NIEA refer to the screening assessment for previous policy, which has issues in not assessing the impact on the Swanlibar River SAC. The crux is that policy changed after the 2018 Assessment, to include the new policy of reducing commercial pike licences. However, no Appropriate Assessment for this new Commercial Policy was carried out, a legal requirement.

Can we make a complaint to the Office of Environmental Protection on this matter?

DMc - You can influence future policy going forward. However, you cannot undo this policy that is now in place.

Chair - Can we step back from the details of this case. The Habitats Regulations Assessment document had a date of 21st August 2018, however the policy became effective from 19 March 2021. Can we seek clarification, given the difference in dates should another assessment have been performed to support the new policy?

DMc - I do know due process was followed by AFBI in performing Habitats Regulations Assessment and by DAERA Inland Fisheries in the formulation of the Lough Erne Commercial Fishing Permit Policy. NIEA Conservation, Designation and Protection Unit are content that the policy is compliant.

Action Point 1 : DMc to seek clarification from NIEA regarding the point - given the timescale difference in dates of the HRA being performed and policy changing to include a reduction in commercial licences, should another assessment not have been performed to support the new policy.

Chair – Are DAERA awaiting advice from the Departmental Solicitors Office (DSO) regarding releasing information to SIFF regarding the Minister's approval of the policy referred to in GH's paper?

DMc No, DSO was never approached. DAERA responded in March 2021 to a SIFF request for a copy of the submission to the DAERA Minister regarding proposed changes to the Lough Erne Commercial Fishing Permit Policy. The

response confirmed that the SIFF are already in receipt of Annex A the consultation document on the policy for commercial permits on Lough Erne and Annex B the matrix showing a summary of proposed policy/regulatory changes, SIFF's response and DAERA response to SIFF's comments. Under Environmental Information Regulation guidance there is an exception to the Department releasing internal communication to protect internal decision-making processes and this applies to the submission made to the Minister regarding the new policy.

Chair - The main point is, what are requirements to trigger a new assessment. Lough Corrib situation is comparable to Lough Erne. Could DAERA compare this with the intention of providing a view at the next meeting?

DMc – These are two separate issues.

Action Point 2 - DAERA to consider providing a view.

RM - NIEA have advised due process has been followed but trout fishing has been very bad and club membership has declined. Lough Erne is a shadow of what it used to be under DAERA Inland Fisheries stewardship. I would call for more attention given to what is happening on the ground rather than all the focus being on policy.

GH – What is Inland Fisheries trying to achieve on Lough Erne? All parties agree current actions and policies are destroying trout stocks. How can you improve salmonid fishing?

DMc – DAERA's strategic approach is set out in the fishery management plan for Lough Erne.

Chair – Could a copy be circulated to members?

Action Point 3 – DAERA to issue a copy of draft Lough Erne Fishery Management Plan to SIFF members.

5. Cormorants

Chair – A request was made to NIEA on 18th May 2021 to provide the numbers and details of cormorant populations. A reminder letter was sent on the 15th July 2021 and no response was received until 5th August 2021. The reply contained no information and indicates that NIEA believe current policy is appropriate. This information has been requested over a number of years from the UAF and it seems that NIEA are not willing to engage on the matter. Therefore this will no longer be pursued through SIFF but UAF will try to bring this to the floor of the NI Assembly.

PC – The response from NIEA is disappointing. I would suggest we do not leave this and NIEA should at least engage. Anglers and shore dwellers are reporting serious issues with this in isolated areas. NIEA should not be able to dismiss these concerns.

Would DAERA agree the response is dismissive?

DMc – We appreciate both the Chair and PC’s comments, however we can only liaise with colleagues in NIEA; this issue is outside Inland Fisheries policy remit. Over the summer, Inland Fisheries drafted the Minister’s response to SIFF’s correspondence on this matter and engaged with NIEA in doing so.

Chair – The Minister’s response to the matter was very quick. However the letters to the Minister and NIEA were different. The NIEA letter requested factual information whilst the Minister’s letter was related to policy. The difficulty lies within NIEA refusing to disclose information. UAF will bring this matter forward and inform SIFF of any responses.

6. Review of SIFF (Update by DAERA)

DMc - I have been in touch with Strategic Investment Board (SIB), they have advised consultation is complete and the finalised report should be available shortly. The report will then be circulated to SIFF members for comment.

7. Review of Licences & Permits Regimes (Update by DAERA)

DMc – A meeting is scheduled with Strategic Investment Board (SIB) for tomorrow (9th December 2021), an update on progress made with the Review will be provided then. Consultation is complete and I expect the report to be completed early in 2022. The report will then be circulated to SIFF members for comment.

Chair – Is this review relating to pricing of licences/permits or structure of?

DMc – The review will cover both, there is a widespread acknowledgement amongst stakeholders of the need to streamline the number and types of angling licences/permits.

PC – Are the various commercial licences going to be part of the review?

DMc – Yes. I understand SIB have already received your views with regards to commercial fishing licences. Commercial Licences Applications for 2022 will be issued shortly, we will be in touch outside this meeting.

8. Any other Business

Dredging of Quays in Lough Neagh

PC –The dredging of Quays in Lough Neagh falls under the remit of the Department for Infrastructure’s (DfI) Rivers Agency. There are over 30 operational quays around Lough Neagh. There are major issues for fishermen accessing their quays. Could we therefore invite along a DfI representative to the next SIFF meeting to see what is happening regarding this matter?

Action Point 4 – DAERA to seek getting a DfI representative to attend the next SIFF meeting.

Reservoirs Act Consultation

Chair– I wish to raise the issue of the Reservoirs Act Consultation, many clubs are worrying about this as they are receiving letters about it. In the past they had no requirement to adhere. However with the introduction of this secondary legislation compliance is necessary. Should this go forward a lot of fisheries will suffer as a consequence financial pressure will be put on clubs.

GH – Annesborough Angling Club lease their lake and are very concerned. They are worried the cost will be passed from the owner to them. They would then have to close their fishery which has existed for over 50 years. As was previously mentioned a fund should be set up to support clubs in this situation.

RM – We were promised a fund would be set up. This would be bad for clubs across of Northern Ireland.

Chair – I propose, that I write a letter expressing concern regarding this introduction of legislation. This would also detail the loss to the natural environment.

Action Point 5 – Chair to draft a letter regarding the consultation and circulated to SIFF members for comment.

Animal Sentience Bill

Chair – Could DAERA look at providing an update on this Animal Sentience Bill in Parliament?

Action Point 6- DAERA to seek an update on bill.

UAF Event on Lough Erne

GH – An event is being held on Lough Erne in Feb/March. We would be looking a speaker from DAERA to attend.

Action Point 7 – GH to email a formal request to DAERA.

7. Dates of 2022 meetings

Action Point 8- DAERA to schedule of proposed dates to be issued with minutes

10:30am - 30 March 2022

10:30am - 29 June 2022

10:30am - 28 September 2022

10:30am - 14 December 2022

Chair thanked everyone for their attendance and wished all a Merry Christmas.