

Rathlin Island European Marine Site Management Scheme

Management Group meeting - Portnagree House, Ballycastle

4th February 2016

Present:

Colin Armstrong	DOE Marine Division (Principal Scientific Officer and Chairman)
Joe Breen	DOE Marine Division (Senior Scientific Officer)
Maxime Sizaret	Causeway Coast and Glens Heritage Trust
Gary Burrows	DOE Marine Division (North Coast Marine Ranger)
David Quinney Mee	Rathlin Development & Community Association (RDCA)
Gordon Munro	HM Coastguard (Senior Coastal Operations Officer)
Rory McNeary	DOE Marine Division (Senior Inspector for Marine Historic Environment)
Neil McCulloch	DOE Northern Ireland Environment Agency
Simon Kelly	DRD Governance Policy & Resources Group
Jennifer Lundy	Causeway Coast and Glens Borough Council (Senior Planner)
Frank Devlin	National Trust
Dave Wall	Ulster Wildlife (Living Seas Officer)
Kenny Bodles	RSPB (Marine Conservation Officer)

Apologies:

John Morton	Causeway Coast and Glens Borough Council (Harbour Master)
Michael Cecil	Rathlin Development & Community Association (RDCA)
Gareth Fullerton	DARD Fisheries & Environment Division (Senior Fisheries Officer)
Phil Davidson	National Trust

Agenda

1. Apologies

Gary Burrows brought the apologies received (as above). It was noted that Rebecca Hunter had been replaced by Dave Wall as the UW representative on the management group.

2. Agree minutes of previous meeting (16th October 2015)

All members were content with the minutes from the last meeting. Maxime Sizaret (CCGHT) asked for a correction to his job title.

3. Matters arising from previous minutes

Colin Armstrong reviewed progress on the actions from the last meeting. Some actions were discussed as agenda items.

- *RDCA to continue to address any land owner concerns over placement of the new signs. **Ongoing, addressed under agenda item 4.***
- *Damian Campbell to arrange an internal meeting with NIEA during the following week regarding appropriate representation on the management group. **Achieved. DOE Marine Division and NIEA held an internal meeting on 6th November 2015.***
- *Neil McCulloch to arrange a meeting between the RSPB, NIEA and DOE Marine Division (after Damian Campbell's meeting with DOE colleagues). **Achieved. DOE Marine Division and NIEA held an internal meeting on 6th November 2015.***
- *Colin Armstrong (DOE) to arrange an internal meeting with NIEA to discuss an action plan to control rats and ferrets at seabird nesting sites. **Achieved. DOE Marine Division and NIEA held an internal meeting on 6th November 2015.***
- *Colin Armstrong to produce the basis for this review by the end of November 2015, and to reference any relevant LBAP actions. **Achieved.***
- *Gary Burrows to circulate a link to the Rathlin Island LBAP to the management group, in advance of publication on the RDCA website. **Achieved.***
- *RDCA to consider publishing a page on their website, providing islanders with information on the Rathlin Island European Marine Site Management Scheme. **No further consideration, action carried forward.***
- *Gary Burrows to arrange the next meeting by the start of February 2016. **Achieved.***

4. Review of the Management Scheme (Colin Armstrong)

Colin Armstrong explained that DOE wished to take the opportunity review the management actions relating to the Rathlin Island European Marine Site Management Scheme, to assess the progress made and consider whether to retain or remove any actions.

Some management actions were discussed as agenda items.

Management action 1 – Removal of alien species

This management action relates to Conservation Objective 2 (Rathlin predator eradication programme).

Colin indicated that various people have had conversations about predators and invasive species on Rathlin Island. DoE has had recent discussions with the RSPB and others but the project is mainly being driven forward by the RDCA. David Quinney Mee said that a CCGHT representative was scheduled to meet with islanders to discuss a number of issues including predator control. The RDCA has met with the RSPB and they are very positive about the project. RDCA is waiting to see the outcome of that discussion with the farmers.

Colin explained that when the RSPB shared the project specification for a predator eradication programme, it was evident that the cost would be several million pounds. He advised that the EU Life Fund is the most likely funding mechanism for this project and that JNCC (the new national contact point for EU Life) would be in Belfast from 29th Feb – 2nd March 2016 running fact finding workshops for applicants. He advised RDCA and RSPB to attend these meetings and see what advice JNCC could provide. Kenny Bodles said that the RSPB is keen to engage with this work but want it to be 100% community led. It was indicated that the original feasibility study was now out-of-date and would need recosting. David stated that whilst there was potential support and funding for a predator eradication programme, its fragility hinged on the sensitivity of a few islanders. Most, however, recognise the benefits of this project for the whole island.

David highlighted that farmers are concerned about wider pest control issues, not just rats and ferrets; some farmers wish to cull geese. Predator control is included in Rathlin Island LBAP as a wider 'catch all'. So far, farmers are willing to support the process. It was suggested that it may be worth tackling the issue of a geese cull first.

Joe Breen explained that when working in Brussels, the All Ireland EU Life bid on alien species has been discussed. It had failed purely on administrative grounds, as the forms had not clearly demonstrated how the application criteria had been met. Colin reinforced that the role of JNCC is to advise on the application process.

David said that he understood that there is a 3 year process after the application, and that there would likely be implications for the transport of goods such as hay by ferry. Frank Devlin stated that rats could be transported to the island on cattle trailers but that ferrets could not. Joe suggested there may be other control measures needed e.g. procedures to deal with contaminated material or sourcing 'safe' hay.

Joe also highlighted the presence of *Sargassum muticum* (wireweed) on Rathlin Island. It has been spreading in Strangford Lough fast and is not yet back to manageable levels. In 2013 it was located in Church Bay by DoE staff, having originally been found on the east coast of the island. Once it's established, it's extremely hard to eradicate as it grows in strands. Posters are available to alert people to its presence and the fact that it can disable propellers. It has the potential to displace native

seaweed; however, it is unknown whether it may impact on commercially harvested seaweed. There may need to be some monitoring effort this summer to establish whether or not it has spread.

Action – RDCA and RSPB to seek advice from JNCC on the EU Life application process.

Action - Gary Burrows to consider the issues that need communicated when scoping out marine awareness material needed for 2016.

Management action 2 - Zoning of boat activity around seabird colonies

Colin Armstrong confirmed that the RSPB supported this work and that there was now a requirement to consider how evidence is gathered prior to the introduction of any byelaw. New byelaws must go out to public consultation so there is a need to revisit the evidence gathering process. DoE needs to know which areas are sensitive, plus have the evidence to comment on activities that may be impacting on those areas e.g. types of vessels and at risk times of year. Joe Breen indicated that eviscerated birds are occasionally noted at sea, and that an easy to complete log is needed. Colin stated that if there is evidence of an immediate risk of harm to protected features, DoE has the powers to introduce an emergency byelaw but the preferred route is to introduce any new byelaw following public consultation.

Joe said the log would also provide evidence of good practice by dive clubs. Kenny Bodles affirmed that RSPB was willing to assist.

Gordon Munro offered to circulate the recording form to local HM Coastguard staff.

Action - Gary Burrows to draft a recording sheet for use by RSPB staff when boats are noted in proximity to seabird assemblages.

Management action 3 – Prevention of dumping

Colin Armstrong explained that DoE had received no updates on this action in the review of actions. Colin stated that there were sufficient regulations in place to manage this activity. David Quinney Mee asked whether there was a scrap vehicles scheme that could be used to remove obsolete vehicles from the island.

Action - DoE to remove management action 3 on the dumping of materials in areas supporting breeding seabirds.

Management action 4 – Control of activities above nesting locations

It was agreed that this action should be removed.

Action - DoE to remove management action 4 on the control of activities above nesting locations.

Management action 5 – Managing disturbance to seals

David Quinney Mee confirmed that the RDCA has secured provisional agreement with two land owners but needs to finalise that with one. The land owner is content as long as signs are in keeping with those already put in place by the islanders and are not prohibitive in tone. He has asked for additional references to ‘no camping’ etc. to be considered. Once RDCA has final agreement from the land owners, they will be ready to go to the designers. RDCA still hopes to be able to cover the costs of production.

Management action 6 – Establish a highly protected non-disturbance zone; and

Management action 7 – Introduction of a ban on mobile fishing gear

Gareth Fullerton provided an update by email (2nd February 2016):

Regulations are still with the DSO. Current issue has been raised by the DSO in regards to the original consultation. The closed area at Beirne Head was not mentioned in the original consultation. DSO recommends going back out to consultation. Also, with competing priorities (Fisheries Bill etc) and resource issues, we believe it may be summer 2016 before the legislation is completed. Colin has since been in discussion with our policy team regarding the possibility for removal of the Beirne Head closed area – this has the potential to speed up the process, and will need further discussion.

Colin Armstrong reiterated that this issue is with the Departmental Solicitors Office (DSO), and that while content within the introduction of a complete ban on the use of any mobile gear within the SAC, their solicitors are concerned that Berne Point highly protected area was not part of original consultation. The closed area at Berne Point will be progressed at another stage, as DoE does not want to delay the process. Joe Breen stated that diving would become a permitted activity within this small site (Beirne Point). There had been a voluntary agreement to make this a highly protected area, however, with the main risk being dredging and trawling, more stood to be lost by not moving the ban forward in good time. Colin stated that the urgency is that DARD’s proposal needs to get this through the current term of the assembly and that the only way to progress this in time is to drop the Berne point proposal until after May 2016. There will be an opportune time to consider other wider measurement measures later as part of the MCZ designation. Joe confirmed that at the moment, there is no significant risk at Berne Point; there is no anchoring and the only divers using the area are well briefed by *Aquaholics*. The priority is to secure protection from the immediate risk of mobile gear.

David asked whether the boundary for the Berne Point closed area had been varied? Joe confirmed that it had not varied. David also asked whether all north coast fishermen were content with the introduction of a ban on all mobile gear. Colin stated that subject to the legislation going through, all

mobile gear would be prohibited in the area but that it would be possible to issue a voluntary agreement with pot fishermen to stay out of Berne Point area.

Management action 8 – Prevention of destruction of HMS Drake and MV Loch Garry

Rory McNeary outlined the current failings of the legal protective framework for historic shipwrecks in the Rathlin EMS. While *HMS Drake* is protected by 'sovereign immunity' (by fact that it is a British Naval warship) neither *HMS Drake* nor *MV Lochgarry* are formally designated and DoE is largely limited to promoting best practice; however, it was noted that any marine licensable activities at historic shipwrecks would be scrutinised carefully. He noted that it is an unfortunate reality that marine heritage assets (like historic wrecks) were not included in the designation criteria for Marine Conservation Zones (MCZs); an obvious failing of the new marine legislation.

Rory pointed out that the *Drake's* sovereign immunity status should protect it from adverse interference from irresponsible divers but all other wrecks around Rathlin (including the *Lochgarry*) are controlled by salvage law (Merchant Shipping Act 1995). Under this legislation hand-removed material from these wrecks (for which there is anecdotal evidence) is not illegal if declared to the Receiver of Wreck (this is not an ideal scenario but one in which underwater cultural heritage managers are forced to work with until meaningful legislative change is made). But both Rory McNeary and Gordon Munro agreed that this was not happening in the context of NI.

Beyond the current situation Rory briefly outlined attempts to bring forward the designation of the *Drake* site (under our own domestic heritage legislation – HMAO Order 1995). This proposed Scheduling has been endorsed by the Historic Monuments Council (HMC) and it now lies with the Department(s) for a final decision. This designation would acknowledge its heritage value and help put in place management measures to prevent further damage and ad-hoc removal of material by irresponsible sports divers. It would not prevent sports divers accessing the site which is an important point as it is recognised by DoE that the *Drake* is a popular dive site and ties into the local marine economy.

He further pointed out that next year (2017) being the anniversary of the sinking of the *Drake* provided a platform and opportunity to raise the profile of the *Drake* (as both a heritage and recreational asset) and tie it into other island-led initiatives promoting both maritime heritage and wider centenary commemorations. There was general agreement on this point.

Action - Gordon Munro agreed to contact the RoW and acquire new information leaflets which explain the Receivers role.

Action - Rory McNeary will acquire copies of JNAPC booklet 'Underwater Finds: Guidance for Divers' for broader circulation.

Action - Gary Burrows to consider the issues that need communicated when scoping out marine awareness material needed for 2016.

Management action 9 – Development of hand gathered scallop fishery

David Quinney Mee indicated that to date, this idea hasn't been taken up by island community. Joe Breen indicated that historically Church Bay had a very productive scallop bed but that there was anecdotal evidence that it had become overfished to a non sustainable level by a combination of fishing boats and divers. Healthy stock levels have never fully recovered. He indicated that after the mobile gear ban is introduced, consideration may be given to restock the protected area with undersize scallops, with a long term goal of establishing a brood stock which will support wild fisheries outside the SAC. Consideration will need to be given to whether or not to get permit measures in place first. A permit scheme first is a demonstrable compensation measure in light of the ban on mobile fishing gear.

David suggested that this action should be retained but its scope should be widened to include seaweed harvesting and the development of a scallop nursing area. Colin Armstrong stated that any new activity within the protected site needs assessed against the marine SAC features.

Management action 10 – Promotion of Rathlin Island as wildlife/ecotourism destination

Maxime Sizaret highlighted the existence of a European map of places where a marine wildlife tourism resource is available, and that CCGHT would be looking at specific places of interest and who can develop tourism in a sustainable way before the website goes live. Colin Armstrong commented that this action was being progressed well and needed retained.

Joe Breen suggested that the European Maritime and Fisheries Fund (EMFF) may be suitable funding avenue for a hand gathered scallop fishery. Colin indicated that the fund was not yet open but that funding may be available for fishermen to put in place new fisheries, amend gear, develop aquaculture within marine SACs. Funding should be available from late 2016 for the next five years.

Management action 11 – Development of the kelp house

David Quinney Mee stated that the RDCA hope there will be potential to develop the kelp house with the involvement of a FLAG (Fisheries Local Action Group). He indicated that Kate Burns has been talking to others from another FLAG and that the RDCA hopes to follow through on those discussions. David said that an architect will amend drawings for the kelp store but that works to the Manor House work have taken precedence.

Management action 12 – Mooring zone for cruise ships

Joe Breen said he had been in contact with the UK Hydrographic Office regarding amendment of the relevant charts. UK HO has a policy of not wishing to mark protected areas on charts, although a precedent had been set many years ago with the inclusion of the Strangford Lough Marine Nature Reserve (MNR). Whilst the Harbour Master has no direct control over where ships anchor, DoE would like to see vessels making use of the two preferred anchorages. Discussions are continuing.

Proposals for new management actions

Kenny Bodles said that there was a need for actions that address communication and awareness raising, particularly on the issue of marine litter. He suggested that consideration of a leaflet or information board would be appropriate. Gary Burrows indicated that Susan Cramer was the lead DoE officer on marine litter, working on the Northern Ireland Marine Litter strategy and producing the Marine Litter Watch newsletter.

Action - Susan Cramer to be invited to the next meeting to advise on effective ways to raise awareness on marine litter.

Joe Breen said that actions to address ghost fishing should be considered. Two possible approaches are to use dive clubs to recover lost gear and to reduce the impact of lost gear through EMFF funding of biodegradable clips. He suggested that DoE may be able to map out coastal pollution hotspots from land and boat. Gary Burrows mentioned that in some areas, schools or communities 'adopt' a stretch of the coast and keep it clear of litter. For example, in Portrush, Mill Strand Integrated Primary school has adopted West Strand beach.

Colin Armstrong mentioned that Descriptor 10 of the Marine Strategy Framework Directive (MSFD) requires Member States to implement measures to ensure that litter is at levels where the "*properties and quantities of marine litter do not cause harm to the coastal and marine environments*".

Action - DOE Marine Division to map litter hotspots by RIB.

Colin Armstrong asked whether there should be any new actions to help peregrine falcons? Neil McCulloch advised that there is considerable natural variation in the numbers of this species, and that nothing in the recent figures suggested concerns for falcons. The difficulty is that as the condition assessment is only undertaken once in every six years, figures can be misleading. If assessments were undertaken annually, it would show no major cause for concern.

5. Rathlin Fisheries Regulations to prohibit the use of mobile gear

Addressed under Agenda item 4 (Review of the management scheme).

6. Rathlin predator eradication programme (Colin Armstrong)

Addressed under Agenda item 4 (Review of the management scheme).

7. MCZ update, including Rathlin pMCZ (Joe Breen)

Rathlin Island is one of the four proposed MCZ sites in Northern Ireland. The proposal is for a considerable extension to the boundary of the existing SAC/SPA, to protect deep seabed habitats to the north of the island. A second feature proposed is black guillemot via protection of guillemot habitat (butterfish). DoE is keen that people respond to the public consultation (open until 11th March 2016).

<https://www.doeni.gov.uk/consultations/marine-conservation-zones-consultation>

Ulster Wildlife also ran several events to highlight the MCZ public consultation. Only two people attended the event on the Rathlin Island pMCZ. The generally response from fishermen has been supportive so DoE is hopeful of a good response. It is not yet known how main FPOs will respond to the consultation. Commercial charter boat anglers had queried how a new MCZ it may affect them; the north coast chartered anglers would like to meet DoE to discuss implication of all marine protected areas and protected species,

Action – John Morton to arrange a meeting in Portnagree House between charter boat skippers and DoE, regarding marine protected areas and species.

David Quinney Mee asked if it would be possible to have a meeting between DoE and Rathlin islanders on the specifics of the pMCZ, in addition to the event by Ulster Wildlife.

Action – DoE to arrange meeting on Rathlin Island on the specifics of the MCZ consultation.

8. Update on seal signage (RDCA)

Addressed under Agenda item 4 (Review of the management scheme).

9. Marine Ranger update (Gary Burrows)

Gary Burrows outlined his work over the winter to support the Rathlin Island European Marine Site Management Scheme:

- 7 shore-based monitoring patrols (3 dedicated, 4 opportunistic while working Torr Head or marina)

- Coordination of the consultation on the Review of Management Actions
- Preparations of the minutes from the October 2015 meeting

10. AOB

Jennifer indicated that a revised Habitats Regulations Assessment and amended Environmental statement was required for the Rathlin ferry planning application. This was expected to be submitted in time for the application being presented to the February Planning Committee.

11. Date of next meeting

Gary Burrows to arrange the next meeting to coincide with the Rathlin Sound Maritime Festival in May 2016.

Summary of actions

RDCA to continue to address any land owner concerns over placement of the new signs.

RDCA to consider publishing a page on their website, providing islanders with information on the Rathlin Island European Marine Site Management Scheme.

RDCA and RSPB to seek advice from JNCC on the EU Life application process.

Gary Burrows to consider the issues that need communicated when scoping out marine awareness material needed for 2016.

Gary Burrows to draft a recording sheet for use by RSPB staff when boats are noted in proximity to seabird assemblages.

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