

Neagh Bann Draft River Basin Management Plan

Competent Authorities

December 2008



An Agency within the Department of the
Environment
www.doeni.gov.uk



INVESTOR IN PEOPLE

NI EA Northern Ireland
Environment
www.ni-environment.gov.uk Agency

Competent Authorities

Neagh Bann International River Basin District

This annex sets out the names and addresses of competent authorities for river basin planning within the Neagh Bann International River Basin District and includes a summary of their legal status and responsibilities.

If you would like to contact the competent authorities for the Neagh Bann District you can also find contact details here.

Names and addresses of competent authorities:

The competent authorities for the Neagh Bann International River Basin District are the Department of the Environment, Northern Ireland and the Environmental Protection Agency, Monaghan County Council (the co-ordinating local authority), Cavan County Council, Meath County Council and Louth County Council in Ireland¹.

Northern Ireland

Department of the Environment, Northern Ireland
River House
High Street
Belfast
Northern Ireland
BT1 2AW

Ireland

Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

County Councils

Monaghan County Council
County Offices
The Glen
Monaghan
County Monaghan
Ireland

Cavan County Council
Courthouse
Farnham Street
Cavan
County Cavan
Ireland

Meath County Council
County Hall
Navan
County Meath
Ireland

Louth County Council
County Hall
Millennium Centre
Dundalk
County Louth
Ireland

¹ Where the term 'Ireland' is used this is a reference to the Republic of Ireland

Geographical coverage of the Neagh Bann International River Basin District



Legal status of competent authorities:

Department of the Environment, Northern Ireland (DOENI):

The Department of the Environment was established under Article 3 of the Ministries (NI) Order 1973 No. 2161 (N.I. 24). The Departments (NI) Order 1999 (N.I. 1) repealed the Ministries (NI) Order 1973 but contained a saving in Article 3 (3) providing for the continuing in existence of the Department of the Environment. DOENI is the competent authority for coordinating Water Framework Directive implementation. The following three Departments are also responsible for exercising their relevant functions to ensure compliance with the Directive: the Department of Agriculture and Rural Development (DARD), the Department of Culture, Arts and Leisure (DCAL) and the Department for Regional Development (DRD) (see appendix 1 for more details).

Environmental Protection Agency

The European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (<http://www.irishstatutebook.ie/2003/en/si/0722.html>) identifies the EPA as the Competent Authority for co-ordinating measures by local authorities, for reporting to the European Commission and for other specified functions. The broader environmental functions of the EPA are set out in the Environmental Protection Agency Act (7/1992) (<http://www.irishstatutebook.ie/1992/en/act/pub/0007/index.html>).

Monaghan County Council

The European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (<http://www.irishstatutebook.ie/2003/en/si/0722.html>) is the relevant legislation pertaining to establishment of River Basin Districts and the functions of Competent Authorities. The broader environmental functions of local authorities are set out in the Local Government Act (37/2001) available online at (<http://www.irishstatutebook.ie/2001/en/act/pub/0037/index.html>).

Cavan County Council

The European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (<http://www.irishstatutebook.ie/2003/en/si/0722.html>) is the relevant legislation pertaining to establishment of River Basin Districts and the functions of Competent Authorities. The broader environmental functions of local authorities are set out in the Local Government Act (37/2001) available online at (<http://www.irishstatutebook.ie/2001/en/act/pub/0037/index.html>).

Meath County Council

The European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (<http://www.irishstatutebook.ie/2003/en/si/0722.html>) is the relevant legislation pertaining to establishment of River Basin Districts and the functions of Competent Authorities. The broader environmental functions of local authorities are set out in the Local Government Act (37/2001) available online at (<http://www.irishstatutebook.ie/2001/en/act/pub/0037/index.html>).

Louth County Council

The European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (<http://www.irishstatutebook.ie/2003/en/si/0722.html>) is the relevant legislation pertaining to establishment of River Basin Districts and the functions of Competent Authorities. The broader environmental functions of local authorities are set out in the Local Government Act (37/2001) available online at (<http://www.irishstatutebook.ie/2001/en/act/pub/0037/index.html>).

Responsibilities of competent authorities:

Article 3(2) of the WFD requires member states to identify the appropriate competent authority for the application of the rules of the Directive within each river basin district. The “competent authority” has general responsibility for ensuring the Directive is given effect. The authority also has specific responsibilities for ensuring that appropriate economic analysis is carried out, approving proposals for environmental objectives and programmes of measures and approving the draft river basin management plans.

The duties of the competent authority in Northern Ireland, the Department of the Environment, Northern Ireland are set out in the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003 (S.R. 2003 No. 544). These regulations were made under section 2(2) European Communities Act 1972 c.68. The Department of the Environment, Northern Ireland is responsible for carrying out the analysis required for characterisation, monitoring, identifying waters used for the abstraction of drinking water, and establishing a register of those waters and other protected areas. The Department has to prepare proposals for environmental objectives and programmes of measures for each river basin district, and prepare the draft river basin management

plans. The Department must also ensure public participation in preparation of the river basin management plan and make certain information required under the Framework Directive is accessible to the public. In addition to these responsibilities the Department of the Environment must ensure co-ordination with the relevant competent authority in Ireland with the aim of producing a single river basin plan for each International River Basin District, with a co-ordinated programme of measures for the whole of each district. For more details on the responsibilities of the competent authority in Northern Ireland please see the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003 (S.R. 2003 No. 544) (<http://www.opsi.gov.uk/sr/sr2003/20030544.htm>).

The duties of the competent authorities in Ireland, are set out in the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). The Regulations identify the Environmental Protection Agency as the competent authority for co-ordinating measures by local authorities, for reporting to the European Commission and for other specified functions (these include identifying and mapping RBDs and water bodies, establishing type specific reference conditions for water bodies, developing a monitoring programme and classification systems). The Regulations identify the relevant local authorities, acting jointly, as the “competent authorities” for the making of river basin management plans, and appoint a local authority to act as co-ordinating authority in the River Basin District. In the Neagh Bann International River Basin District Monaghan County Council has been appointed as the co-ordinating authority. For more details on the responsibilities of the competent authorities in Ireland please see the European Communities (Water Policy) Regulations 2003 (<http://www.irishstatutebook.ie/2003/en/si/0722.html>).

International Relationships:

The implementation of the Water Framework Directive in the Neagh Bann International River Basin District is co-ordinated on a bilateral basis at Ministerial level between the Minister with responsibility for the Environment (Northern Ireland) and the Minister for the Department of Environment, Heritage and Local Government (Ireland). Public authorities involved in aspects of water management, North and South, continue to discharge their existing statutory functions and, in addition, participate in co-ordination arrangements established by the Ministers. The legislation transposing the Directive into national law, North and South, imposes an obligation on the relevant public authorities to take appropriate action to secure co-ordinated implementation of the Directive.

The Ministers are assisted in their task of co-ordination by a North / South WFD Co-ordination Group on Water Quality which meets generally on a bi-monthly basis. This group is comprised of officials acting on a non-statutory basis drawn from:

- The Department of the Environment (DOENI) and its Agency, the Northern Ireland Environment Agency (NIEA);
- The Department of the Environment, Heritage and Local Government (DEHLG) and the Environmental Protection Agency (EPA) in Ireland; and
- Other government departments, their agencies and relevant organisations, North and South, with responsibility for implementation of the Directive.

In addition, the co-ordination group establishes technical, advisory and other expert groups as it considers necessary to support its work within a general framework

established by the Ministers. Irish and UK officials participate in meetings with both the UK and Irish technical groups.

A joint North / South project promoted by the Co-ordination group and supported by funding under INTERREG IIIA was established to facilitate co-ordinated implementation and delivery of technical tasks required by the Directive. The project (the “NS SHSARE Project”) was led by Donegal County Council (in Ireland) on behalf of the competent authorities in both national jurisdictions.

Contact points and procedures:

For queries on the Neagh Bann International River Basin District please contact the following:

Northern Ireland

Jo Campbell
Northern Ireland Environment Agency
River Basin Planning
Water Management Unit
17 Antrim Road
Lisburn
BT28 3AL
Telephone: +44 (0)28 9262 3100
Email: riverbasinplanning@doeni.gov.uk

Ireland

Martin Murray
Monaghan County Council
Environment Section
County Offices
The Glen
Monaghan
County Monaghan
Telephone: +353 (0)47 30553
Email: mpmurray@monaghancoco.ie

Please note: this document does not replace the official Water Framework Directive Article 3 report on Competent Authorities. Details of this report can be found under the official Water Framework Directive reports for the UK and Ireland which can be accessed at http://www.euwfd.com/html/key_wfd_documents.html.

Appendix 1: Summary General Duties of Northern Ireland Departments under the Water Framework Directive

Department	Agency	Connection to Water Framework Directive
Department of the Environment www.doeni.gov.uk	The competent authority responsible for co-ordinating Water Framework Directive implementation.	
	Northern Ireland Environment Agency (formerly Environment and Heritage Service)	Responsible for protecting the aquatic and natural environment, and regulating drinking water quality. Taking forward most of the technical work required for Water Framework Directive implementation.
	Planning & Environmental Policy Group	Responsible for policy and legislation on a range of environmental areas, including water, climate change and natural heritage.
	Planning Service	Responsible for developing and implementing government planning policies and development plans.
Department for Regional Development www.drdni.gov.uk	Regional Planning & Transportation	Responsible for monitoring and contributing to the implementation of the Regional Development Strategy and monitoring the implementation of the Regional Transport Strategy.
	Roads Service	As part of their road maintenance functions, Roads Service provide for drainage from road surfaces and have installed sustainable drainage systems into the design of some new road construction schemes e.g. Toome Bypass.
	Ports and Public Transport Division	Responsible for the discharge of statutory and other duties in respect of air and sea ports and public transport and contributing to national policy development for ports and airports.
	Water Policy Division	Responsible for policy in relation to the water and sewerage industry including water pricing policies for the efficient use of water resources.
Department of Culture, Arts & Leisure www.dcalni.gov.uk	Responsibilities include developing policy, service delivery, administration and monitoring of inland fisheries and inland waterways. The Department has overall policy responsibility for the supervision and protection of salmon and inland fisheries, and for the establishment and development of fisheries and water recreation, in Northern Ireland.	
Department of Agriculture & Rural Development www.dardni.gov.uk	Responsibility for farming and environmental policy and the development of the rural sector in Northern Ireland. It provides a business development service for farmers and growers, and a veterinary service with administration of animal health and welfare.	
	Forest Service	Maintains and protects forests in a sustainable

		way to increase the natural resources of Northern Ireland.
	Rivers Agency	Manages Northern Ireland's extensive network of rivers and inland waterways for drainage and flood risk management. In particular, Rivers Agency aim to reduce the risk to life and damage to property from flooding from rivers and the sea, underpin drainage of agricultural land and undertake drainage infrastructure works to facilitate new housing and industrial development.
	Fisheries Division	Responsible for sea fisheries, aquaculture and fish health policy.
	Countryside Management Branch	Provides advice and guidance across a wide range of countryside issues including the Agri-Environment Scheme and Management Plans, Codes of Good Agricultural Practice and Cross Compliance.