

42nd MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 09th May 2007 @ 11am

Ballymascanlon Hotel, Dundalk

Attendees:

Board

Peter Savage (Chair)
Jack Allen
Tarlach O'Crosain
Andrew Ward
Frank Feely
Dick Blakiston-Houston

Loughs Agency

Derick Anderson CEO
John Pollock
Gerard Mills
Barry Fox
John McCartney

1. Apologies

Jacqui McConville
Siobhan Logue
Joseph Martin
Patrick Griffin

2. Minutes of Previous Meeting

The minutes were agreed with.

Proposed Jack Allen
Seconded Tarlach O'Crosain

3. Reserved Minutes

None.

4. Matters Arising

None

5. CEO Report

CEO advised the Board that the Legislation Briefing had been arranged to thank the Departments for their assistance with the legislation. Unfortunately the briefing had to be cancelled due to the work commitments of the Departments at the present time and will be re-arranged at a later date.

CEO advised the Board that the next stage following the passing of the Bill will be to bring forward commencement orders; a letter is currently being drafted to both Departments to advise on suitable commencement dates.

CEO advised the Board on the recent visit from the Northern Minister, Michelle Gildernew. He Advised the Board that the Minister was extremely helpful to the Agency in relation to hardship package.

6. Director Updates

The Board were provided with updates by the Senior Management Team each giving a brief overview on their relative areas.

Aquaculture

Consultation on Wild Oyster Fishery

Barry Fox advised the Board that a twelve week consultation has been initiated for the proposed regulation of the Wild Oyster Fishery in Lough Foyle. To date there has been positive responses to this and a series of meetings are being arranged with stakeholders to ensure that their comments and concerns can be taken on board. He also advised that it is the Agency's intention to introduce regulations for this fishery in September 2007.

Board Members asked that the Loughs Agency ensure that the regulations are robust enough for those that invest in this area and it is important that the stakeholders feel included in their preparation. CEO advised the Board that the Agency have tried to encourage their involvement by setting up a Terms of Reference committee.

Strategic Environmental Assessment

Barry Fox advised the Board that the Agency have recently sent out invitations to the relevant personnel from both jurisdictions to sit on an oversight committee. The Agency is awaiting a small number of acceptances, the decision has also been taken to have more than one industry representative on the committee.

Mussel Movements Lough Foyle

Barry Fox advised the Board that there have been a small number of movements of mussels from Wales into Lough Foyle over the past month. These movements have been inspected by CEFAS in Wales and have been deemed fit for relaying. He also advised that concerns were raised that Crepidula, an invasive species may have been present in one of the loads. The Marine Institute are currently investigating this matter, however, no evidence of Crepidula to date.

CEC/DCMNR Management Agreement

Barry Fox informed the Board on recent contact made with Charles Green from the Crown Estates Commission. He advised that there have been a number of queries from Charles regarding the hecterage currently being used for aquaculture in Lough Foyle. The Agency has been reluctant to supply this information as it will encourage CEC to pursue a higher rent in Lough Foyle than the Department of Marine may agree.

Mussel Review and Seed Fishery

Barry Fox advised the Board that a draft report of the Mussel Review is currently being processed, a copy of which is to be provided to all at next meeting. Following a meeting with the mussel seed committee the opening date for the seed fishery has been agreed for 06th June. He also advised that DCMNR have confirmed that they are interested in the Agency operating as Authorised Officers under section 16(2)(a) Sea-Fisheries & Maritime Jurisdiction Act, this would involve unlicensed fishing, inspecting mussel movements into both loughs and EU health certificates.

Corporate Services

John Pollock updated the Board on the following issues:

Finance

The 2007 Budget and Business Plan have been approved by the Departments.

Work is continuing on the transfer of purchasing to Corporate Services.

Conflict of interest declarations have been issued to all Staff and Board members, still some outstanding, follow up to be arranged.

Audit

Northern Ireland Audit Office/C&Ags audit for 2006 is well underway and is due to finish on Friday 19th May. No major findings to report at this stage.

NSMC

Plenary meeting currently being arranged with Sectoral meetings to follow, no definite dates scheduled at present, possibly early September.

Staff Recruitment/Vacancies

Development officer recruitment is now complete. Andrew Sides will be starting post on Friday 01st June, he will be based in Prehen office and travelling to Carlingford office as and when required.

Corporate Services manager recruitment is now also complete. Kevin Wilson due to commence position on Monday 11th June, he will be based in Prehen office and on occasions may need to travel to Carlingford office.

A meeting has recently taken place between BDD and the Agency. Review of grade for Angling Manager is due to commence with finalisation by the end of May.

Staff loading review due to commence by the end of 2007. CEO to contact DARD's BDD to advise on commencement.

Banking

Work has commenced on electronic payments, Chairman required to authorise documentation.

2006 Annual Reports

Works have commenced on draft 2006 annual report, final draft expected to be available by mid May and to be brought forward at next meeting.

Corporate and Business Plan

Works have commenced on the 2008 Business Plan and Corporate Plan for 2008 to 2010 and to be brought forward at next meeting.

Pensions

Actuarial review has been completed with a pension liability FRS 17 estimated at 5.16 million and the draft accounts will be amended to reflect this figure.

Equality

Disability Action Plan Consultation has commenced on and is due to end on 22nd June 2007. Draft copy of consultation documented distributed to all members, any comments to be forwarded to John Pollock.

Conservation & Protection

Regulations

John McCartney advised the Board that the following five regulations have been approved and will come into operation from the 09th May 2007:

- Foyle Area (Control of Drift and Draft Net Fishing) (Amendment) Regulations 2007
- Foyle Area (Control of Netting) (Amendment) Regulations 2007
- Foyle Area and Carlingford Area (Licensing of Fishing Engines) (Amendment No.2) Regulations 2007
- Foyle Area and Carlingford Area (Angling) (Amendment) Regulations 2007
- Foyle Area and Carlingford Area (Tagging and Logbook) (Amendment) Regulations 2007

Hardship Package

John McCartney thanked both the Board and Forum members for their help with the Interceptory Fishing for Salmon Consultation. In Tandem with the above regulations the Agency has prepared a hardship package for those in the commercial salmon fisheries impacted by the need to cease fishing and for those who may accept it on a voluntary basis. The Business Case for the hardship package has been submitted to both Sponsoring Departments for their approval and letters to be issued to all concerned as soon as possible.

Enforcement

John McCartney reported that since the first of January 2007 the Agency's staff have seized 14 rods and reels, 4 boats and 21 nets including 1 sea net. This has led to papers being referred to our solicitors for prosecution of 14 individuals for fisheries protection offences. In addition one case is being prepared for Habitat Destruction, one for blocking the passage of migratory fish and four for incidents of Water Pollution.

The Board were also provided with a Comparative Summary of fish counter data for all counter sites.

Visit to Norway

John McCartney updated the Board on recent visit to Fish Meal Plant at Norway, similar to that proposed at Lisahally. He advised all that the volume and strength of effluent being discharged to Lough Foyle is more serious than first thought, however, the Agency is working alongside Londonderry Port and Harbour Commissioners to ensure that there is no damage to Lough Foyle. Board to be updated on any further progress.

Development

Marine Tourism Strategy

Gerard Mills advised the Board that pipeline applications to SEUPB have now been submitted and will take the form of two applications to work up the territorial co-operation pact with Scotland and the amalgamation of angling and marine tourism into one business plan, this will be made under Interreg IV. He also advised that work is continuing on the development of Angling Clusters.

7. Interceptory Fishing for Salmon/Hardship

Please see Director of Conservation & Protection update as above.

8. Lough Foyle Wild Oyster Fishery Consultation

Please see Director of Aquacultures update as above.

9. Financial Assistance Policy – Approval Request

The Board considered the draft Financial Assistance Policy and gave their approval to proceed on this basis. They asked that the application form be made user friendly in particular for small community groups. The Board delegated application approvals to the Senior Management Team provided that it was within the limits of the financial memorandum.

Proposed: Peter Savage

Seconded: Dick Blakiston-Houston

10. Mourne Heritage Trust Assistance for Signature Project (£2500)

Gerard Mills advised that Board on an application for a signature project which required match funding of £2500 and covers a substantial part of the inland region up the Carlingford catchment. The Agency proposes that they should work with Mourne Heritage Trust to ensure integrated development along the count down section of the coast line.

Proposed: Jack Allen

Seconded: Peter Savage

11. Vital Signs

Gerard Mills advised the Board on the recent procurement problem with Vital Signs. He advised all that the Vital Signs Project is currently being reviewed with a 60 day moratorium on spend to allow severance of contract

between ICBAN and GMRI due to the potential vicarious liability to the Agency, Board to be kept up to date on progress.

12. Interreg Pipeline Project Assistance Applications

Please see Director of Development update as above.

13. Territorial Co-operation Proposals

Please see Director of Development update as above.

14. Marine Tourism Strategy and Angling Development IRO Planning Permission

The Board considered the need to prepare the ground for potential projects and avoid any unnecessary delays when funding becomes available e.g. Planning Approvals. The Board gave their approval to release funding to allow these projects to proceed.

Proposed: Frank Feely

Seconded: Tarlach O'Crosain

15. Stewardship Reports

CEO report to the Board that Stewardship reports from the relevant staff have been received for the 2006 financial year, no issues of concern to report and this will be reflected in his statement on the system of internal control which can be found in the financial statements.

16. Disability Action Plan

John Pollock provided all with the draft Disability Action Plan for the Agency, this was approved by the Board.

Proposed: Frank Feely

Seconded: Tarlach O'Crosain

17. Advisory Forum

Minutes of the Forum to be provided at the next Board Meeting.

18. A.O.B

IFM Request

The Board considered the request for funding for the Institute of Fisheries Managements conference on 18th October 2007, this will also be funded by the other fishery boards of the island. The Board gave approval for funding of €3,000.

Proposed: Andrew Ward

Seconded: Dick Blakiston-Houston

Business Plan Update

John Pollock advised the Board on the latest out-turn against the 2007 Business Plan targets.

19. Date and Venue Of Next Meeting

Wednesday 27th June at 11am in Loughs Agency Headquarters, Prehen.

