

43rd MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 27th June 2007 @ 11am

Loughs Agency Headquarters, Prehen

Attendees:

Board

Peter Savage
Jack Allen
Tarlach O'Crosain
Andrew Ward
Dick Blakiston-Houston
Patrick Griffin
Jacqui McConville
Joseph Martin

Loughs Agency

Derick Anderson CEO
John Pollock
Gerard Mills
Barry Fox
John McCartney

1. Apologies

Siobhan Logue
Frank Feely

2. Minutes of Previous Meeting

The minutes were agreed with no amendments.

Proposed Jack Allen
Seconded Tarlach O'Crosain

3. Reserved Minutes

None

4. Matters Arising

None

5. CEO Report

CEO advised the Board that the first plenary meeting of the NSMC has been provisionally scheduled for Wednesday 4th July 2007. He also advised that the NSMC have mentioned the possibility of September 2007 for the first Sectoral meeting, dates and venues to be confirmed as yet.

CEO advised the Board that the Commercial Salmon Fishing has finished in the south, DCMNR seem to be steering away from the fisheries side of business, on the Southern side fisheries will apparently be moving to the Department of Agriculture and Food, on the Northern side fisheries are to move to the Department of the Environment with Marine Tourism being devolved to Fáilte Ireland. No confirmation of these changes has been given to the Agency at present, CEO to update Board on progress.

CEO advised the Board that the Agency are currently in the process of developing the Corporate Plan for 2008 to 2010, this will include a review of the Agency's policy. Drafts of the Corporate Plan to be distributed to all Board Members as soon as possible for their review and comments and will then be given to the Departments for consideration, a twelve week consultation will then go out to the public domain for review and comment. The Board discussed the strap line "inform to sustain" and an alternative was suggested as "inform to sustain through information".

CEO advised the Board on the take up of the Hardship Package. He advised that there were 112 Drift net licences available of which 110 applicants were eligible; there were also 50 Draft net licences available of which 45 applicants were eligible. He advised that all but 18 drift net applicants and 10 draft net applicants have accepted the Hardship Package. The Agency hopes to begin issuing payments and decommissioning nets in the autumn of this year.

CEO advised the Board that the some applicants were discontent that the period of 2002 to 2006 was used as a calculation for the Hardship Package, however, the Agency had to use 2002 to 2006 as opposed to 2001 to 2005 as this was the year were their licence application was graded. CEO gave thanks to John McCartney, Stanley Thorpe and Laura French for their hard work and efforts put into the whole process.

6. CEO Targets

CEO advised the Board that the 2004 provision for Chief Executives for Cross Border Bodies is to be awarded a bonus. He advised all that the CEO's performance has to be assessed by the Board and their views put forward to the Departments, who will then further assess and make a final decision on awarding a bonus. It was agreed by the Board that this should be consider by the Audit, Finance and Personnel sub-committee.

Proposed Dick Blakiston-Houston

Seconded Jacqui McConville

7. Electronic Licensing

CEO provided the Board with a paper on a proposal to progress with a Business Case and Economic Appraisal for the development of an Electronic Licensing system. The Board expressed their concerns on the following issues:

- Concerns over photography.
- Concerns over involvement of IT without the consideration of other bodies, therefore a proposal to investigate a "Pilot Project" was put forward.
- Costs of a five year licence to for anglers on low income or benefits.

CEO advised the Board that the Agency have discussed the possibility of Electronic Licensing with other bodies. He also advised that the photographs displayed on the licence would be similar to that of a driving licence and would make a big difference to field staff as a control measure on the breach of licences. He advised that a 5 year licence would basically cover the cost of a swipe card, the Agency are currently drawing up a proposal to bring forward regulations for the charge of tag's, electronic licensing would be less expensive in the long term. CEO welcomed the Board's views on a "pilot project", he advised the Board that resources at present are in-house and will eventually go to the Departments for approval and then it is the intention of the Agency to bring others on board. CEO feels that the Departments will allow the Agency to go ahead with this project on the basis that the Agency pilot the scheme.

8. MOU with Londonderry Port and Harbour Commissioners

CEO provided the Board with a draft Memorandum of Understanding between Londonderry Port and Harbour Commissioners and the Loughs Agency. CEO asked the Board to review and comment on this draft advising that the sections under Londonderry Port and Harbour

Commissioners have not yet been decided and are being presented to their Board today (27/06/07).

9. Legislation/Regulations

CEO advised the Board that the Departments will be meeting next week to discuss dates for the commencement orders. CEO advised that it is the Agency's intentions to roll out the Aquaculture legislation in early 2008, all Regulations must be developed prior to this section being enacted due to the legal implications of persons currently operating in Lough Foyle.

CEO advised the Board that there is a requirement to carry out a full twelve week consultation on all new Regulations and also a Regulatory Impact Assessment will also be required for each individual Regulation.

10. Director Updates

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

Development

Angling Clusters

Gerard Mills advised the Board that he is currently in the process of identifying a number of clusters for angling funding applications, to keep all updated on progress.

Angling Manager

Gerard Mills advised the Board that Lionel Knobbs has filled the position of Angling Manager for the Agency.

Development Officer

Gerard Mills advised the Board that Andrew Sides has filled the position of Development Officer for the Agency.

Marine Tourism Strategy

Gerard Mills advised the Board that the Terms of Reference for the Marine Tourism Strategy have now been written, the Agency are now currently seeking consultants to work up the Marine Tourism and Territorial co-operation with Scotland.

New Carlingford Facility

Gerard Mills advised the Board that the Economic Appraisal for the new Carlingford facility has now been approved, the Agency now in the process of negotiating site purchase.

Conservation & Protection

New Regulations for Commercial and Recreational Angling

John McCartney advised the Board that the Agency have succeeded in implementing the new regulations for both commercial and recreational fishing, as the Board are aware these regulations were introduced to protect and conserve North Atlantic Salmon stocks in compliance with the EU Habitats Directive 92/43/EEC and the recommendations of the North Atlantic Salmon Conservation Organisation (NASCO). John McCartney also advised that he represented the Agency at the NASCO conference in early June 2007, the work of the Agency was viewed internationally as best practice in Atlantic Salmon Management.

John McCartney reported to the Board that the regulatory measures have been accepted by the commercial fishermen, and while some were vocally unhappy that they were not eligible for licences, the majority appear to have accepted that the measures were inevitable and have been applied fairly. He also advised that the recreational fishermen have also accepted the measures and while the change of carcass tags from blue to black has caused some confusion, the majority of the anglers have accepted and applauded the Agency for its stance on conservation.

Future Regulatory Measures

John McCartney advised the Board that the Agency are preparing or considering other regulatory measures, these include the remaining Salmon conservation measures, as well as regulatory controls on coarse fisheries.

Enforcement Actions

John McCartney advised the Board that since the first of January 2007 the Agency staff have seized 23 rods and reels, 4 boats and 26 nets, including 2 sea nets. These seizures have led to papers being referred to our solicitors for prosecution of 27 individuals for fisheries protection offences.

John McCartney provided the Board with a Comparative Summary of fish counter data for their review. He advised that the fishery may have to close due to the Regulatory target for Sion Mills weir not being met. The Agency is continuing to monitor and a final decision will be made following the count on mid-night Saturday 30th June 2007.

Aquaculture

Greenore Port Development

Barry Fox advised the Board that the EIS for the Greenore Port Development has still not been published, the development proposal is still with An Bord Pleanála awaiting a decision on whether or not it is a Strategic Infrastructure Development. An Bord Pleanála will decide if the Council in Louth will deal with the planning issues or if it goes directly to themselves.

He also advised that the Agency has a sampling plan developed for the area most likely to be affected by this development to monitor any likely changes in the current status of the area. Barry Fox provided all with comments sent to the consultants from the CLAMS committee in Carlingford.

Consultation on Wild Oyster Fishery

Barry Fox advised the Board that the Consultation on the Regulation for the Wild Oyster Fishery is at its midway point. To date there has been very little comment made in writing although it is expected that more will come through closer to the cut off date i.e. 12th July 2007. He advised that one major concern being raised verbally is the lack of licensed vessels in the Foyle area. This means that vessels carrying category C or bi-valve licences are allowed to fish in public fisheries. These licenses cannot be applied for as there is a cap on them and can only be purchased at a considerable cost. Letters have been sent to both Vessel Licensing Departments to seek clarification.

Strategic Environmental Assessment

Barry Fox advised the Board that a pre-meeting of the SEA committee was held on Monday 18th June 2007. At this meeting a presentation was given outlining the approach the Agency wish to take in the deliverance of the SEA. Barry Fox provided all with a copy of the report.

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, there have been a number of complaints received about vessels fishing intertidal mussels on the north shore of Lough Foyle from residents and the RSPB. DARD are currently pursuing the operator in question with the view of prosecuting. The Agency's staff have acted as witnesses for the Department and given statements on the matter.

Board Members enquired as to who was responsible/accountable for the movement of mussels into Lough Foyle. Barry Fox advised all that it is the responsibility of DARD in the north and DCMNR in the south, however, in the long term it may well be the Agency's responsibility. CEO advised the Board that a commencement order for the Aquaculture section is required before this can be decided. DCMNR are keen to devolve responsibility to the Agency.

CEC/DCMNR Management Agreement

Barry Fox advised the Board that further contact has been made with the Crown Estates Commission and DCMNR. Barry Fox currently awaiting a date for a meeting, Board to be kept updated.

Corporate Services

Finance

John Pollock provided the Board with the Agency's figures of Actual Income and Expenditure for the first half of the year. He advised the Board that all Directorates are now in the process of providing him with an indication of their expected spend for the next quarter as a drawdown of grant in aid is now due from the Sponsoring Departments.

John Pollock advised the Board that a Risk Management Workshop has been arranged for the 10th July 2007.

Audit

John Pollock advised the Board that the NIAO and C & Ag Audit of 2006 is now complete with finalisation targeted for the end of July 2007.

Staffing Recruitment/Vacancies

John Pollock advised the Board that the Agency had filled all vacancies, however, he reported that Miranda Verner, Personal Assistant to the Senior Management Team had resigned and would be leaving at the end of July. The Board wished her all the best for the future and thanked her for her work during her time with the Agency. He also advised that a staffing review is due to commence by the end of 2007, BDD to be contacted by CEO and Liam McKibben of DARD to be advised.

Banking

John Pollock advised the Board that the work has commenced on electronic payments and the Agency will be in touch with all Board members to get their bank details in the near future.

2003 & 2004 Combined Annual Report

John Pollock advised the Board that the combined Annual Reports for 2003 and 2004 are now awaiting an NI Assembly number and a date for laying.

2005 Annual Report

John Pollock advised the Board that the 2005 Annual Report print proof is now due at the end of June 2007.

2006 Annual Report

John Pollock provided the Board with a draft copy of the 2006 Annual Reports. He advised the Board that the 2006 Annual Reports need to be submitted to the Audit Office in draft form by the end of July 2007. The Board gave their approval to proceed on this basis.

Proposed Joseph Martin
Seconded Patrick Griffin

Corporate and Business Plan

John Pollock advised the Board that works have commenced on the 2008 Business Plan and also the Corporate Plan for 2008 – 2010, input required from all Directorates.

Pensions

John Pollock advised the Board that the Agency have written to Philip Smith (Cross Border Pension Legal Advisor) for advice on updating the Agency's Pension Scheme. Philip Smith expected to call today. Board to be updated on progress.

Agency's Website

John Pollock provided the Board with Statistical Evaluation figures, graphs and tables for the number of hits to the Agency's website. He advised all that to date there have been 25 to 30 thousand hits per month from all over the world. The Agency are currently in the process of developing the website to cover the various different areas of the Agency i.e. Conservation & Protection, Development etc.

11. Approval of Staff Annual Work plans – Riverwatch and Angling

Gerard Mills provided the Board with a copy of the staffs Annual Work plans which are now complete and ready for the Boards approval, in particular approval required for the Agency's Angling Fair which is due to take place in 2008. The Board gave their approval.

Proposed Jacqui McConville
Seconded Patrick Griffin

12. Interreg Bid

Gerard Mills advised the Board that the Communications Strategy has been put back to allow Interreg bid to be prepared, time line for completion of strategy expected to be September 2007.

13. Disability Action Plan Consultation

John Pollock advised the Board that the consultation for the Disability Action Plan has commenced and the end date is Friday 22nd June 2007, no responses to date.

14. Greencastle/Moville Accommodation

CEO advised the Board that it is the Agency's intention to open an office in the Greencastle/Moville area. He advised that a number of staff have expressed their interest in this area for sampling and would be good for establishing good communication in the Greencastle area. He also advised that John Pollock and Kevin Wilson have viewed a new building which has been developed by the Greencastle Community Association. John Pollock advised the Board that there will be a rental cost of €7000 per annum. The Board gave their approval to proceed on this basis.

Proposed Joseph Martin
Seconded Tarlach O'Crosain

15. Review of Environmental Governance in Northern Ireland

CEO provided the Board with a copy of the report on the Review of Environmental Governance in Northern Ireland. He advised the Board that this review has gone outside its Terms of Reference referring that the responsibilities of the Agency should be part of the Environmental Protection Agency and it ignores an International Agreement (British/Irish Agreement) and also the other functions of the Agency i.e. Marine Tourism, Aquaculture and Shellfisheries. The Board expressed their concern on this matter and asked that the CEO keep them advised of any developments.

16. Advisory Forum

The Board were provided with a copy of the last Advisory Forum minutes for their review. Board members discussed the communication with the Advisory Forum and Joseph Martin requested that the Board consider inviting the Chairman of the Forum to meet with the Board to express the views of the forum as a whole. This proposal was agreed by all

Proposed Dick Blakiston-Houston
Seconded Andrew Ward

17. A.O.B

None

18. Date and Venue of Next Meeting

Date and venue to be confirmed – End of August, beginning of September.

