

50th MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 2nd July 2008 @ 11am

Loughs Agency Headquarters, Prehen

Attendees

Present

Tarlach O'Crosain (Chairman)
Joe Miller
Thomas Sloan
Jim Wilson
Denis Haughey
John Byrne
Enda Bonner
Winston Patterson
John Mulcahy

In Attendance - Loughs Agency

Derick Anderson CEO
John Pollock – Director of Corporate Services
Gerard Mills – Director of Development
Laura French (Minutes)

1. Apologies

Jacqui McConville (Vice Chair)
Brendan Byrne
Alan McCulla
Barry Fox – Director of Aquaculture and Shellfisheries
John McCartney – Director of Conservation and Protection

2. Minutes of the Previous Meeting

The minutes were agreed with no amendments.

Proposed Enda Bonner
Seconded Joe Miller

3. Reserved Minutes

None

4. Matters Arising

Chairman welcomed all to the 50th meeting of the Board of the Foyle Carlingford and Irish Lights Commission and also thanked all the past Board members who got the Board to where it is today. He continued to thank CEO and John Pollock who have been with the Loughs Agency from the start and also all longstanding members of staff. Chairman also commended the Agency for their work in arranging another familiarisation day, this time in Foyle, yesterday, and despite the weather all thoroughly enjoyed it.

Chairman advised that now that children are off school that more of them will be on the riverbanks and that although he was aware that that Agency had to enforce the Regulations could they ensure that a sensible approach be taken with these children.

5. CEO Report

CEO reported to the Board that as some members were aware some field staff, who were members of Unite the Union, had taken part in industrial action on Monday 30th June 2008 following ongoing talks in relation to an unsocial hours allowance. CEO added that the Agency had drawn up a proposal that was agreed with both Unite and Nipsa Unions but this had been turned down by DFD in the North on 19th June 2008 but DFP had advised the Agency if they could find an alternative that was already in the Northern Ireland Civil Service Handbook they would only require Sponsoring Department approval. One was identified and was tabled to staff on 24th June 2008 but was rejected on 25th June 2008, hence the industrial action. CEO assured the Board that that Senior Management were working on trying to resolve this issue.

CEO reported to the Board that he, the Chairman and Gerard Mills had attended the last NSMC meeting in Belfast on 26th June 2008. He added that it was a very engaging meeting with Jeffery Donaldson, Michelle Gildernew, Eamon Ryan and Minister of State Sean Power in attendance. CEO advised that the next NSMC meeting in will be December and may coincide with the commissioning of the new monitoring vessel.

CEO reported to the Board that the Agency had a number of well developed Regulations in the pipeline one of which was in relation to flood and drought levels this would mean if the river dropped below a certain level that angling would become catch and release and commercial fishing would cease. Regulations on fixed penalties,

coarse fishing, licence fees, tagging, Greenbraes, bass and tope were also well developed.

6. Directors Report

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

Corporate Services

Finance

John Pollock, Director of Corporate Services advised the Board that the Agency were still awaiting Final Department of Finance and Personnel / Department of Finance approvals for our 2008 budget - £5.7m, funded 50:50 by North and South. The third quarter of grant in aid drawn down is on target. The Hardship Package funds held in a separate account were on target and had been paid out in April 2008. The 2007 Financial Statements (end 31st December) on target and audit review nearing completion.

Audit

External Audit by NIAO / C& Ag Audit is nearing completion, awaiting signoff by C & Ag. Internal audit 2007 report is finalised – review carried with the rating now “satisfactory”.

Corporate Governance

Risk Management workshop was held on 18th June 2008 with risk register being updated.

NSMC

NSMC Sectoral meetings are planned for November 2008.

Staffing Recruitment / Vacancies

There is one vacant IT post and the staffing loading review is to commence as soon as possible. The initial meeting held with Business Development Branch and Job Evaluation forms (Jegs) have been completed by all staff.

Banking

Electronic payments to suppliers transfer ongoing.

Annual Report

2006 Annual Report currently at design / print stage date for laying June 2008. The initial draft of the 2007 Annual Report is complete.

Corporate and Business Plan 2008 – 2010

Complete, at print stage.

Pensions

The current pension scheme is under consideration of Sponsoring Department / DFP.

Equality

The Disability Action Plan survey of staff to commence as soon as possible. The Agency is a member of the Age Equality Forum. Section 75 Screening complete on all new regulations. Review of Equality Scheme to commence mid 2008. Review of Consultees Underway.

Tendering / Procurement

Department of Finance and Personnel Central procurement Directorate SLA under review.

Accommodation

The Architect's draft scoping study is currently with staff for comment. Greencastle accommodation ongoing. Temporary transfer of Carlingford offices complete.

Advisory Forum

The next meeting of the Loughs Agency Advisory Forum will take place in September 2008.

Information Technology

Current IT requirements under review and tender processes initiated.

Development

Gerard Mills, Director of Development advised the Board on the following;

European Funding Bids

Marine Tourism and Angling Development (circa €8.5MEU) - This bid is due to be assessed by the Special EU Programmes Body (SEUPB) on the 2nd of July 2008. SEUPB have appointed ASM Horwath to appraise the bid. The outcome is likely to be announced later in the year.

Territorial Cooperation with the Scottish Centre of Ecology and the Natural Environment (SCENE) - The revisions to this bid have been

made and we are awaiting the 'open call' under the environment measure to be announced before we can submit. This bid is well supported particularly in Scotland

Riverwatch update

- 1450 visitors in May
- 824 visitors June (as at 20/06/08)
- 7 outreach activities in the month June
- Development of Marine Pilot has started – to be launched in new term.
- Marketing campaign to attract general public / tourists / summer schemes over July and August.
- Saturday opening (July and August)
- Fish feeding at 3pm (Monday, Wednesday and Saturdays)

Website hits:

Month	Hits
January	14,070
February	15,402
March	18,200
April	22,654
May	23,514
June	14,166 (as at 19/06/08)

FOI/DPA/EIR - No requests

Conservation and Protection

John McCartney, Director of Conservation and Protection had sent apologies, CEO provided the Board with the following report;

The 2008 commercial fishing season opened with a number of concerns being raised by the angling community. These concerns were that the Agency intended to open the commercial season even though the fish counts were low, and we were in a prolonged spell of extremely low water in the rivers. Additionally some anglers were concerned that while Loughs Agency permits for the lower river Finn were not being sold thus preventing angling while the commercial fishing was about to start.

These concerns have been proven unfounded, the low water conditions had a significant effect on the commercial net operations. The low water conditions and subsequent high algal growths coated

the nets in the water, and the low volume of fresh water does not appear to have been sufficient to draw the main run of grilse into Lough Foyle. The total catch in both the drift and draft nets for the first week was less than 25 fish, this appears to be significantly less than was taken on the rod in the same week in the Upper Foyle and Lower Mourne.

This disproportionate catch highlights the issues of the limitation on the sale of permits for the Loughs Agency waters on the river Finn system. The objective of this intervention was based on a need to protect the early run spring salmon. These salmon were trapped in the lower / tidal end of the river Finn and upper Foyle due to the severe drought conditions. They will remain in this area until there has been a flood sufficient enough to allow them to move up the river system. To date there has not been sufficient floodwater to allow these fish to reach the upper ends of the river system.

With the dramatic reduction in the number and capability of the commercial nets the angling catch in 2007 for the first time in Foyle area records was comparable with the total commercial catch. Both the angling fraternity and the commercial fishermen need to fully recognise each others aspirations within the fishery

North Atlantic Salmon Conservation Organisation (NASCO)

John McCartney represented the Loughs Agency at the annual NASCO conference in June 2008. The Agency were part of the Irish delegation to the conference which makes up the European Union contingent. The European Union is one part of the North East Atlantic Commission.

(NASCO) is an international organisation established under the Convention for the Conservation of Salmon in the North Atlantic Ocean which entered into force on 1 October 1983. The objective of the Organisation is to contribute through consultation and cooperation to the conservation, restoration, enhancement and rational management of salmon stocks, subject to the Convention taking into account the best scientific evidence available to it. The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal States of the Atlantic Ocean north of 36°N latitude throughout their migratory range.

The contracting parties to NASCO are

Canada
Denmark (in respect of the Faeroe Islands and Greenland)
European Union
Iceland
Norway
Russian Federation
United States of America

The work of the Loughs Agency continues to be cited as international best practice in Salmon management, and the work of the Irish delegation, and in particular the contribution to the SALSEA project is seen as a corner stone in international management.

Enforcement actions

In 2008 so far, Agency staff have dealt with 57 rod related offences, and 48 rod seizures. Agency protection staff have also seized 12 fish, 2 pairs of chest waders, 1 otter board rig, 4 floats, 27 illegal nets, 6 boats, and 1 car.

Pollution issues have also been addressed by Agency staff with 12 sets of statutory samples taken with a view to prosecution.

Comparative Summary fish counter data

	2005 1 st Jan to 30 th May	2006 1 st Jan to 30 th May	2007 1 st Jan to 30 th May	2008 1 st Jan to 30 th May
Faughan	123	60	126	281
Finn	931	872	1545	226
Sion Mills	67	1398	1405	124
Roe	65	372	689	287
Corrick	14	Not available	173	70
Newry	Not available	Not available	Not available	102
Omagh	Not available	Not available	Not available	48

Updated figures will be provided to the Board on the day of the Board Meeting.

Aquaculture and Shellfisheries

Barry Fox, Director of Aquaculture and Shellfisheries sent apologies, CEO provided the Board with the following update;

Monitoring Vessel Procurement

Purchase of the Agency's monitoring vessel from New Zealand has been completed as of Friday 27th June. Tenders for the refit of the vessel will be considered and a contract awarded over the coming weeks. A full report is provided by Kevin Wilson.

Regulations

The regulations for the conservation and management of the wild oyster fishery in Lough Foyle have been approved by the Agriculture and Rural Development Committee and also approved by the NSMC. The regulations will be enacted by the end of July and application forms to operate in the fishery issued thereafter. Copies of these will be presented to the board in due course.

Seed Mussel Fishery

The bottom mussel seed fishery in the Irish Sea is closed from July 1st until further notice. Statutory Instrument No. 194/2008 refers. The reopening of the fishery will be determined by the survey reports received from mid July onwards on seed maturity and also the prevalence of predators in the vicinity of these seed beds. Early reports of starfish in the context of the Wexford area suggest that it may be necessary to reopen in late July or beginning of August. A limited amount of seed was found in Lough Foyle and was fished on the first tides of the opening on the 5th June. The seed fished in the Foyle was of poor quality and mixed through stone. It has further emphasised the need for strict regulation and management of the seed mussel resource in Lough Foyle.

CEC/DAFF Management Agreement

Progress is finally being made on the management agreement between Crown Estates, Department of Agriculture, Fisheries and Food and the Loughs Agency. DAFF are currently progressing the matter with the Attorney Generals Office and the Agency.

Strategic Environmental Assessment

The tender exercise for the SEA has been completed. Five tenders were received and the selection panel is currently working through these. It is expected that a contract will be awarded by the end of the July.

7. NSMC Report

This item was covered in the CEO's report.

8. Update on Monitoring Vessel

This item was covered in the CEO's report.

9. 2007 Annual Report

John Pollock provided the Board with a copy of the above and asked for their approval to send it to the Sponsoring Departments.

Proposed Jim Wilson
Seconded Denis Haughey

10. Pensions

CEO advised the Board that he was awaiting a final paragraph from the Departments for the pension's letter and hoped to pick it up tomorrow.

11. Update on Regulations

This item was covered in the CEO's report.

12. Genetics

CEO provided the Board with the latest genetics report on the Foyle area and advised that Walter Crozier from AFBI would give the Board a presentation at the next Board meeting.

13. Risk Management

CEO reported to the Board that Northern Ireland Audit Office had queried the Agency's risk management. He added that a meeting was set up and was attended by the Chairman and Joe Miller and the register had been updated. This will be updated every quarter.

14. Internal Audit

This item was covered in the Director of Corporate Services report.

15. SALSEA

Arthur Niven made a short presentation to the Board in relation to his trip with SALSEA.

16. Biodiversity Week

Gillian Simpson made a short presentation to the Board on Biodiversity Week.

17. A.O.B

None

18. Date and Venue of Next Meeting

The next meeting of the Board of the Foyle Carlingford and Irish Lights Commission will be held on Wednesday 3rd September 2008 at 11am in Loughs Agency Offices, Carlingford.