

54th MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 28th January 2009 @ 11am

Loughs Agency Offices, Carlingford

Attendees

Present

Tarlach O'Crosain (Chairman)
Jacqui McConville (Vice Chair)
Alan McCulla
Brendan Byrne
Thomas Sloan
Jim Wilson
John Mulcahy
Denis Haughey
John Byrne
Enda Bonner

In Attendance - Loughs Agency

Derick Anderson – CEO
John Pollock – Director of Corporate Services
Gerard Mills – Director of Development
John McCartney – Director of Conservation and Protection
Barry Fox – Director of Aquaculture and Shellfisheries
Laura French (Minutes)

1. Apologies

Joe Miller
Winston Patterson

2. Minutes of the Previous Meeting

The minutes of the previous meeting were agreed.

Proposed Denis Haughey
Seconded John Mulcahy

3. Reserved Minutes

None

4. Matters Arising

None

5. CEO Report

CEO opened the meeting by extending his condolences to Jacqui McConville, Vice Chair on the recent passing of her father.

CEO advised the Board that he had been invited to give a presentation at the Oireachtas on the 11th February 2009 on the workings of the Agency. He added that he would be accompanied by Gerard Mills, Director of Development and John McCartney, Director of Conservation and Protection and would report back at the next Board meeting.

RESERVED

RESERVED

CEO provided the Board with copies of the 2006 annual report and made them aware of the delay in getting this processed.

CEO advised the Board that the Agency were still working on pension and hoped to have a resolution later in the year.

6. Directors Report

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

Corporate Services

John Pollock, Director of Corporate Services provided the Board with the following report;

Finance

John Pollock, Director of Corporate Services advised the Board that the Agency had drawn down their first quarter of grant aid and

expenditure was on target. The Hardship Package 3rd and final tranche due in April 2009.

Audit

Internal audit 2008 is complete and there were no material findings, feedback from auditors was satisfactory, papers were provided to the Board. The 2007 Financial Statement is still awaiting sign off by the C&Ags.

Corporate Governance

Risk Management updates provides from all Directors with risk management meeting to be held in February 2009.

NSMC

NSMC Sectoral meeting has been scheduled for 5th March 2009 with the working group meeting arranged for 30th January 2009.

Staffing Recruitment / Vacancies

The staffing loading review has commenced with interviews scheduled for all staff. There is 1 Fishery Officer vacancy.

Annual Report

The 2007 Annual Report is complete and with Sponsoring Departments for comment and clearance.

Corporate and Business Plan 2008 – 2010

Complete, at print stage.

Business Plan 2009

Draft complete awaiting comment from Sponsoring Departments and Departments of Finance.

Pensions

Discussion ongoing.

Equality

The Disability Action Plan survey of staff has been completed. The Agency is a member of the Age Equality Forum. Section 75 Screening complete on all new Regulations and ongoing for current consultations.

Accommodation

Architects drawings for redesign of reception area at headquarters are being considered and job is being tendered. Greencastle accommodation partnership with community association target completion end of 2009.

Information Technology

Work on IT infrastructure and hardware upgrade with integrated telephone system nearing completion.

Conservation and Protection

John McCartney, Director of Conservation and Protection provided the Board with the following report;

The December / January months have been relatively quiet for Conservation and Protection staff. However unlike the same 2007 period the low water levels facilitated redd counting, allowing a comprehensive picture of salmon redds throughout the catchment.

Regulatory intervention in the Oyster fishery has been limited, due to the lack of activity in the fishery. Staff have however seized one bag of oysters for a tagging offence.

Game anglers are waiting for the season to open, and the coarse anglers don't seem to have faced the cold.

Foyle and Finn

The Board has copies of the proposed Regulations, Consultation and Regulatory Impact Assessment for the Permit waters of the Rivers Foyle and Finn. At the recommendation of the Agency sponsoring departments these are to be redrafted as a Foyle Area and Carlingford Area (Catch and Release) Regulations 2009.

Health and safety

There were two minor accidents reported since the last Board meeting. A staff handbook on health and safety issues is in draft form.

Fish Counters

The independent review and validation project for the Agency counters continues, the contents of the draft report are to be shared with members of the advisory forum before the project moves forward with the recommendations.

Comparative Summary fish counter data

	2005	2006`	2007	2008
Faughan	4245	3399	1206	541
Finn	8571	5700	3278	3172
Sion Mills	9397	9352	3714	3307
Roe	2917	1213	5357	4927
Corrick	1269	Not available	178	170
Newry	Not available	Not available	Not available	226
Omagh	Not available	Not available	Not available	121

Regulations (Summary of current position)

<i>Regulatory amendment to allow coarse fishing licence endorsement, remove redundant licence grades, rise in licence fees in line with FCB</i>	For approval at March NSMC
<i>Regulation to open Greenbraes fishery between Strabane and Lifford</i>	Consultation completed report sent for DARD committee approval and hopefully ready for signing at the March NSMC
<i>Regulation to introduce a charge for carcass tags</i>	Consultation completed report sent for DARD committee review, Agency re considering its approach to the issue.

Waiting for opinion from sponsoring departments;

<i>Regulations to introduce administrative penalties for angling offences</i>	Agency have requested advice as to the mechanism to introduce this measure, and in particular if it can be done by one regulation or if it requires 30 plus regulatory amendments.
---	--

Other regulations

Regulation to prevent obstructions to fish passage	In development, Agency looking at a predictive model to base policy on.
Eel conservation regulations	Consultation launched 21/01/09

Regulatory amendment to extend and establish prohibited angling areas around weirs	Consultation launched 21/01/09
--	--------------------------------

<i>Regulatory amendment to pollution provisions</i>	Agency has asked sponsoring departments to pass papers to Departmental Solicitors for legal opinion on wording of offences.
<i>Regulation to introduce a consent scheme for the removal of river bed materials</i>	Agency has asked sponsoring departments to pass papers to Departmental Solicitors for legal opinion on need for regulation to introduce charging scheme.

<i>Regulation to conserve and protect coarse fish</i>	Consultation completed report sent for DARD committee approval and hopefully ready for signing at the March NSMC
<i>Regulation to conserve and protect Sea Bass</i>	Consultation completed report sent for DARD committee approval and hopefully ready for signing at the March NSMC
<i>Regulation to conserve and protect Tope</i>	Consultation completed report sent for DARD committee approval and hopefully ready for signing at the March NSMC
<i>Regulation to amend flood levels at Sion Mills that control fishing</i>	Consultation continues, several requests for clarification but few responses to date

Enforcement actions

In 2009 so far, Agency staff have dealt with 6 rod related offences, and 4 rod seizures. Agency protection staff have also seized 1 illegal nets, and one bag of Oysters.

Summary of seizures by Agency staff

		2004	2005	2006	2007	2008
Rods	12	16	10	26	85	136
Boats and vehicles	0	1	1	2	16	14
Nets	198	181	114	97	101	114
Fish	155	130	118	91	58	92

Recent Court case results

The Agency has continues to have a variety of court successes, a case of particular note is a pollution case in Rathfriland where Northern Ireland Water Ltd were convicted and fined by the District Judge after an investigation by Loughs Agency staff determined that the local Sewage works had failed and polluted the adjacent river. This is the first Loughs Agency case against NIWL

Environmental issues

Agency staff have been working with other Agencies to try and limit the environmental impact of some development schemes and in particular the new A5 Omagh bypass.

The Agency scientific staff had made strong representation to both governments over the Designation under the EU Shellfish directive for Lough Foyle.

The development of the proposed fish processing plant at Lisahally is now the subject of an application under the Food and Environmental Protection Act (Northern Ireland) 1995 for a sea disposal site for its effluent North of the Skerries.

The development of a Moville Greencastle sewage scheme is now before An bord Plenala, the application process may involve Agency staff and other parties giving oral evidence as part of the final decision process.

Aquaculture and Shellfisheries

Barry Fox, Director of Aquaculture and Shellfisheries provided the Board with the following short report;

Lough Foyle Oyster Fishery

The Lough Foyle oyster fishery is still struggling to access markets for its product post Christmas. This seems to be the trend in fish

markets generally with the prawn industry also struggling to get decent prices and markets for their product.

Attached you will find the amendment Regulations for the oyster fishery that were proposed at a public meeting with stakeholders and agreed. The Regulations will restrict the size of vessel operating in the fishery to 15 meters and under and increase the size limit of oysters for the forthcoming season to 80mm from 75mm. The Agency is committing to explore ways of improving the return from the wild fishery for oysters and also improve the quality of that product to assist the industry in sourcing new markets and possibly a branding exercise once the fishery is producing a consistent, high quality product.

Wild Mussel Fishery

The wild mussel fishery in both Loughs is limited at present due to lack of fishable stock on the ground. Prices for mussel have also dropped significantly. Top quality mussels from Carlingford are achieving no more than €1,000 per ton at present. Lough Foyle mussels are achieving €450 per ton. This trend is expected to continue into next year. Legislation for the management, conservation and development of the wild mussel fisheries in Lough Foyle and Carlingford Lough is currently out for consultation. I will report back to the Board once the consultation period has ended.

SEA

The draft scoping report for the Strategic Environmental Assessment has been circulated for comment within the committee. I have attached the draft copy for your consideration. Please keep this confidential as changes will be made to this document before going to public consultation.

Rising Tide (BGMCF)

The first meeting of the Forum took place on the 10-12-08. The meeting was very constructive and agreements on opening dates for the mussel fishery in the Irish Sea and issues surrounding the mussel seed fishery at Donaghadee Sound were discussed. I also attach draft minutes of this meeting for your information.

Monitoring Vessel

The Agency's monitoring vessel (MMV Ostrea) is now completed. The vessel will be sea trialled on the 26th January 2009 and a report will be made to the Loughs Agency by Challenge Marine. I

attach a “before and after” picture for your information. Delivery is still expected around the end of March.



Shellfish Waters Designation for Lough Foyle and Sanitary Survey Contract

A meeting took place on the 16th January to discuss the reasoning behind excluding Lough Foyle from the designation process

currently being delivered. NIEA, DOENI and DEHLG attended the meeting. We discussed a range of issues and the reasoning for not applying the Directive in Lough Foyle was debated. From our meeting we have been given a commitment that Lough Foyle will be given priority by both jurisdictions once the current round of designations is in place. They also agreed to a joined up approach in dealing with the designation for Lough Foyle. We will continue to follow up on this issue.

The tender evaluation panel for the sanitary survey contract met last Tuesday 13th January. The tenders were scored however due to cost implications it has been decided to return to the applicants and ask them to re-tender to a maximum set price. The specification for the tender is being reviewed to make it easier to evaluate the tenders this time around. It is hoped that the survey will take place before June 09 and the completed report will be with us before the end of September.

Aquaculture Regulations

The Aquaculture Regulations 2009 and The Foyle Area and Carlingford Area (The Environmental Impact Assessment) (Fish Farming in Marine Waters) Regulations 2009 are now with the Department. They will go before the ARD Committee on the 24th February for approval to go to consultation.

Development

Gerard Mills, Director of Development made the following report to the Board.

Interreg bids

Agency has met accountable Departments in Scotland and Northern Ireland to discuss both projects –we are assured that the LoO's are imminent.

2008 Sustainable Development Projects Update

Letters of Offer were issued in 2008 for twenty four projects. Claims from eleven project promoters have been processed and payment has been made - totalling £21,477 and €10,108. Three projects have been granted extension to early 2009 to overcome planning delay (2 projects) and adverse weather delaying implementation (1 project). The Agency has decommitted funds from six projects as they failed to implement.

It has proven difficult to resolve administrative matters relating to two other projects. One further project was a reserve project that received a Letter of Offer late and has still to complete

2009 Sustainable Development Applications Update

Analysis follows of Expression of Interest received for 2009 Sustainable Development Fund programme.

Roughly 50-50 (overall) split between angling/marine tourism.

70% of EOI came from Foyle region and 30% from Carlingford.

77% of applicants invited to proceed to next stage were from Foyle catchment and 23% from Carlingford.

EOI 2009

		Total EOI	Angling	Marine Tourism	Application invited
Total EOI received		89	45	44	56
ROI		32	11	21	23
Northern Ireland		57	34	23	33
Foyle		62	34	28	43
Carlingford		27	11	16	13

Jack Frost At Riverwatch 2008

Visitor Count

The visitor counter failed to recognise footfall in December. At the workshops the follow numbers of visitors were received:

Friday	30	CNVI Workshop
Saturday	40	Arts and Crafts Workshop
Monday	80	RSPB Workshop
Total	150	

Previous to the workshops it is estimated that around 150 people visited the centre.

Total visitors in December 300 (approx). Visitor target for December was 450.

Costs

Total spend	£1500 (approx and excluding marketing)
Cost per visitor	£5

Visitor Comments

Visitors seemed to be mostly local families. Comments include:

Fantastic day for the children – Shauna Doherty
Fantastic Activities. Wonder Staff. Thank You – Creggan Family
Thank you. Excellent. Staff/activities. – K Brown
Brilliant – Con Cannon

Competition

We had just over 30 competition entries. The winners were selected by the RSPB staff and the winners have the opportunity to come to Riverwatch and feed the fish.

Marketing

Marketing costs were £800. £300 for inclusion in all DCC Festive Time marketing and £500 for advert and editorial in the Daily Mirror (both NI and ROI) twice. Press releases, website, radio, leaflet drop and school notification were all rolled out at no additional cost.

Conclusion

Based on the success of Halloween it did seem to be worthwhile to pilot a Christmas themed opening. However, based on the visitor numbers and costs it was not as successful an event. This can be attributed to a number of factors: School closings, families busy at Christmas, main kid's activity is visiting Santa of which there are several in the city, flu virus circulating, etc.

Everyone that took part in the workshops enjoyed them and were pleased with the make it and take it format. Many commented that the activities and the centre were a welcome break from the business of the town.

In 2009, I would recommend decorating the centre again using the decorations from this year. We could run workshops depending on when the schools finish and I would suggest we staff them internally to reduce costs.

7. Coolkeeragh End of Year Report

Ciarán McGonigle, Fisheries Research Officer with the Loughs Agency provided the Board with a short presentation on the above.

8. Charity Event

CEO provided the Board with a letter from Peter Savage, former Chairman of the Board, requesting the Agency to assist with their safety boat in a fundraising event where rowers will row from Carlingford to Holyhead for the Malawi Development.

Proposed Alan McCulla
Seconded Jim Wilson

9. Visit to Danish Oyster Industry

Barry Fox, Director of Aquaculture and Shellfisheries advised the Board that he had been in contact with the Danish Authorities and they had offered to take the delegation from the Agency around the mussel fishery, he added that as they Agency were going to extend the invite to a few mussel producers that the visit would be pushed back until after the oyster season as some of them were involved in this industry as well. Barry added that whilst there they would also be looking at sea trout ranching for the Conservation and Protection Directorate.

10. NSMC

This item was covered in the CEO's report.

11. Angling Fair

Gerard Mills, Director of Development advised the Board that he Agency's annual Angling Fair would take place on Saturday and Sunday 7th and 8th March 2009 at the YMCA in Drumahoe this was due to the increase in size and popularity of the fair over the years and as such the site at Prehen was too small to accommodate such an event. CEO added that as part of the Angling Fair this

year the Agency would be holding a reception on the Saturday evening of the fair in the Belfray Hotel for exhibitors, fly tiers, Board Members, Advisory Forum Member and invited guests. He added that it would be a modest event and had been keenly priced in line with the Agency's subsistence policy. Board Members expressed their delight at the growth of the fair and asked that their appreciation be extended to all staff working on the delivery of the fair.

12. Audit Response

Gerard Mills, Director of Development provided the Board with a copy of a letter received from audit in relation to the Greenore Co-op and Mourne Heritage Trust breaching their letter of offer in relation to the sustainable grants. The Board discussed the letter and it was decided that the money should be paid out in line with the advice from audit but that from next year a note should be put on letters of offer advising that under no circumstances will any money be paid out if letter's of offer are not adhered to.

Proposed Alan McCulla
Seconded John Mulcahy

13. Cruise Proposal

Gerard Mills, Director of Development provided the Board with a paper on the above for their consideration.

Proposed Alan McCulla
Seconded John Mulcahy

14. Clipper Race Proposal

Gerard Mills, Director of Development provided the Board with a paper on the above for their consideration. The Board discussed and advised that they were supportive but did not have the finances to support.

Proposed Tomas Sloan
Seconded Alan McCulla

15. A.O.B

Cooley Tourism

Gerard Mills, Director of Development advised that Board that he had been approached by the above organisation seeking office space in the Carlingford Office 1 day per week to work on event such as the oyster festival and general marketing of the area. They would require a phone line which they would pay for and an address for 24 months. The Board discussed and agreed to go ahead but to review after the first 4 months.

Conflict of Interest

John Pollock, Director of Corporate Services provided the Board with copies of the above and asked if they could complete these forms and return to Laura French as soon as possible.

Audit Committee Meeting

John Pollock, Director of Corporate Services advised the Board that there would be an audit cub committee meeting in February / March 2009 and Laura French would be in contact soon to arrange dates.

Advisory Forum

John Pollock, Director of Corporate Services reported to the Board that the Agency had wrote out to Advisory Forum Members following the poor attendance at meetings and asked them if they would like to remain on the Forum. So far there had been 4 resignations.

16. Date and Venue of Next Meeting

The next meeting of the Board will be held on Wednesday 11th March 2009 at Loughs Agency Headquarters, Prehen.