

55th MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 11th March 2009 @ 11am

Loughs Agency Headquarters, Prehen

Attendees

Present

Tarlach O'Crosain (Chairman)

Joe Miller

Alan McCulla

Thomas Sloan

Winston Patterson

John Byrne

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

Jacqui McConville (Vice Chair)

John Mulcahy

Jim Wilson

Enda Bonner

Brendan Byrne

Denis Haughey

2. Minutes of the Previous Meeting

The minutes of the previous meeting were agreed.

Proposed Thomas Sloan

Seconded Alan McCulla

3. Reserved Minutes

The proposed reserved minutes were approved.

Proposed Thomas Sloan

Seconded Alan McCulla

4. Matters Arising

None

5. CEO Report

CEO provided the Board with a copy of the Joint Committee Report which took place in the Oireachtas on the 11th February 2009. CEO advised that he was joined by Gerard Mills, Director of Development and John McCartney Director of Conservation and Protection on the day. CEO added that the Agency got a fair hearing and answered all questions put to them. He added that they had made some very useful contact on the day and that the all were very supportive of the work of the Agency.

CEO advised the Board on the current situation regarding Unsocial Hours Allowance. He reported that the economic appraisal was complete and had been submitted to the Sponsoring Departments and the Agency awaits comments.

CEO gave the Board an updated on the 2007 Loughs Agency accounts. He added that the C & Ags had written to Malcolm McKibben and his response had concluded that it was a typo and that there was no intention to deceive. The C & Ags are going to add a paragraph to the end of the Statement of Internal Control which will be signed by the Agency.

CEO reported to the Board that the Senior Management Team had had an interim meeting with BDD the company responsible for the loading review. He added that there were a number of issues that had come from this meeting and that the Senior Management Team were to meet on Thursday and Friday 19th and 20th March 2009 to deal with these issues.

CEO advised the Board of the delays in the North with trying to get Regulations passed. He added that the Agency had 1 draft Regulation approved for consultation last week but were still waiting for another 3. CEO suggested that he write to the Sponsoring Departments in relation to this. The Board agreed.

Proposed Alan McCulla
Seconded Thomas Sloan

6. Directors Report

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

Conservation and Protection

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

The River Foyle, Finn and the DCAL Stocked lakes opened on the 1st March, starting the Foyle season for 2009 off. Last year the Agency did not open its managed waters on the river Finn due to the drought conditions that had made the spring salmon run vulnerable, however the conditions this year have not prohibited its opening.

The economic downturn and number of people who have lost their jobs in the last few months may precipitate an increase in illegal Salmon fishing activity in 2009, this is of significant concern for Agency field staff and management.

Coarse has continued through the winter, however angling productivity the Newry canal in particular has been affected by the colder weather.

Consultations

At the last board meeting, the board were presented with the proposed Foyle and Finn catch and release regulations. These regulations had to be re drafted as an angling amendment regulation with the Foyle and Finn in its schedule, and the board have copies of the new proposals.

The Board also have proposals for conservation regulations for non catch species and specifically species of Shad, Smelt and lamprey for consideration.

Health and safety

There was one minor accidents reported since the last Board meeting.

A staff handbook on health and safety issues is in draft form and has been sent to the development directorate to be illustrated.

The Senior Management team are considering a complete policy review of the existing Health and Safety Policy. John McCartney asked for approval from the Board to do this on site.

Proposed Winston Patterson
Seconded Joe Miller

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 January	2006 January	2007 January	2008 January	2009 January
Faughan	-9	31	10	22	-8
Finn	16	4	4	0	2
Sion Mills	40	10	532	-2	101
Roe	5	64	119	0	82
Corrick	21	0	-4	6	1
Newry	Not available	Not available	Not available	2	1
Omagh	Not available	Not available	Not available	21	1

Regulations

The position in relation to regulations remains the same as the last Board meeting, and this is unlikely to change before the next North South Ministerial Council.

Enforcement actions

In 2009 so far, Agency staff have dealt with 9 rod related offences, and seizures. Agency protection staff have also seized 2 illegal nets, and one bag of Oysters.

Environmental issues

The development of the proposed fish processing plant at Lisahally is no longer of concern as the Planning application has been withdrawn.

SALSEA-Merge

The Agency has volunteered two of its scientific staff Art Niven and Ciaran McGonigle to work on the research vessels for one week

each to ensure the Agency is kept to the forefront of any relevant data, and to show support for the research programme.

Development

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

Interreg bids

We still await letters of offer.

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		57	34	23	33

Ireland					
Foyle		62	34	28	43
Carlingford		27	11	16	13

Angling Fair

Report to follow at next meeting.

Training

Essential training outstanding since 2007 has now been addressed in particular for the staff in conservation and protection.

Training that is planned or has taken place is as follows:

- Manual handling
- Risk Assessment
- Sea Survival
- First Aid Aboard Ship
- Powerboat Training
- 4x4 Training
- VHF Operators Training
- Basic Food Hygiene
- Argocat
- CSR/Safe Pass

Additional training will include IOSH for all members of the Health and Safety Committee

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 (awaiting clearance from Northern Ireland Audit Office to make final payments).

Audit

The 2007 Financial Statement is still awaiting sign off by the C&Ags.

Corporate Governance

Risk management workshop held in February 2009 and risk register and profile updated.

NSMC

NSMC Sectoral meeting for 5th March 2009 has been cancelled, revised date and venue to be agreed.

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, it is also on the North South Ministerial Council Sectoral Meeting agenda.

Corporate and Business Plan 2008 – 2010

Complete, at print stage.

Business Plan 2009

Draft complete awaiting comment from Sponsoring Departments and Departments of Finance, it is also on the North South Ministerial Council Sectoral Meeting agenda.

Pensions

Discussion ongoing awaiting response from the Department of Finance.

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.

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 has a small number of vessels operating in it currently. There have been reports of undersized oysters being landed and investigations are ongoing. Below you can see the returns from the 08/09 fishery to date.

The Amendment Regulations for the above fishery have been approved by the ARD Committee and went to public consultation on the 24th of February 2009.

Wild Mussel Fishery

The wild mussel fishery in both Loughs has been limited due to the lack of catchable stock available. We have received reports of seed mussel being re-laid in Narrow Water (Carlingford public fishery) in the past weeks by public fishery vessels. This contravenes the licence these vessels hold and DARD is currently investigating the situation.

SEA

The draft scoping report for the Strategic Environmental Assessment is now at final draft stage. It has been submitted to NIEA and the EPA for official comment. It is anticipated that the report will go to public consultation in April. This will include public days in both catchments.

Rising Tide (BGMCF)

The second meeting of the BGMCF took place in the Loughs Agency's office in Carlingford on the 11th February 2009. Items discussed included Natura 2000 sites and the frustration of the mussel industry at the lack of information available on closures of areas inside or near the designations. There was also criticism of the delay in the delivery of appropriate assessments to allow access to seed areas off the Kerry and Wexford coasts.

Discussions also took place relating to DARD's consultation on the opening of a public fishery at Donaghadee Sound. Criticism was given from Industry on the lack of consultees identified and the short consultation period. A request was made that a sea fisheries policy official from DARD attends the next meeting.

Seed Mussel Fishery

A discussion took place regarding the differing protocols and methodologies used in the surveying and assessment of seed mussel beds on either side of the border. Industry representatives felt that a standardised approach was needed, which used methods that were meaningful to the industry, rather than purely scientific. Arising from this discussion, the need to convene a Technical Sub-Group to standardise methodologies was identified. DARD, DAFF and the Loughs Agency indicated that they were agreeable to this proposal.

The Sub-Group is to comprise of Dr. Terence O'Carroll from BIM, Ciaran McGonigle from the Loughs Agency and Dr Matt Service from AFBI, along with representatives from the industry grouping on the BGMCF. Once the membership is identified, it is planned that the Technical Sub-Group should meet at the earliest opportunity with the Aquaculture Initiative providing a secretariat and chair to service the group's activities.

The seed fishery will open on 30 April and fishing (subject to seed availability) and searching will continue through the following suitable tides,

30th April to 5th May
14th May to 21st May

The forum and the technical subgroup will meet on the 25th of May to discuss the possibility of an additional open period at the next suitable tide.

A close season will follow until the suitable tide on August 26th, when fishing (Subject to seed availability) and searching will resume and continue through appropriate tides.

Monitoring Vessel

Sea trials took place last week in Nelson with the Agency's new monitoring vessel (OSTREA). The vessel achieved speeds of 22 knots in a large swell. This is within acceptable levels for the sea conditions. It has been noted that the props used have been corroded due to extended electrolysis while the vessel was tied up, prior to the Agency purchasing the vessel. Our marine surveyor has spoken with the company that made the props for the vessel and a new set will be ordered shortly. It is expected that this will give the vessel increased thrust and that the props being used will be identical to the ones fitted when commissioned.

Aquaculture Regulations

The Foyle and Carlingford Area (Aquaculture Regulations) were approved to go to consultation by the ARD Committee on the 24th February 2009. The papers have been sent to all consultees and are available on the Agency's website. A further consultation will take place on the fees associated with the aquaculture licences once they are agreed with the Crown Estates Commission and the Department of Agriculture, Fisheries and Food.

Suspected *Crepidula* in Carlingford Lough

A report was received from the Dutch Authorities that there was *Crepidula Fornicata* (slipper limpid) in a shipment of mussels from Carlingford Lough in late 2008. On Tuesday the 3rd of February Mr Joe Breen of the NIEA, Francis O'Beirne of the Marine Institute, Declan Lawlor and Ciaran McGonigle of the Loughs Agency, George Golden of Emerald Mussels and Joanne Gaffney from the Cross Border Aquaculture Initiative - did an aquaculture site investigation following a report of *Crepidula Fornicata* in mussels originating in Carlingford Lough. Joe Breen and Francis O'Beirne directed the skipper of the vessel on the number of dredge samples and the area they wished to sample. 6 dredge samples were examined and no *Crepidula* was detected.

The general consensus following this trip is that the report of *Crepidula* may have been a case of sample contamination, however further investigations will be undertaken by George Golden and the Marine Institute in an attempt to track the possible source of sample contamination in the Netherlands. Furthermore Mr George Golden, indicated that he would be happy to assist in the surveying of his sites in Belfast Lough if the authorities deemed it necessary.

7. 2008 Draft Annual Report

John Pollock, Director of Corporate Services provided the Board with a draft copy of the 2007 Annual Report for their consideration, a further draft will be provided at the next Board meeting.

8. Audit Sub Committee Meeting

John Pollock, Director of Corporate Services advised the Board that the Audit Sub Committee were due to meet and advised that Laura French would contact the members to arrange this.

9. NSMC

CEO advised the Board that the date of the next North South Ministerial Council Sectoral Meeting would be the 30th April 2009 in Carlingford.

10. Status Reports

CEO provided the Board with copies of Loughs Foyle and Carlingford Lough status reports for their information.

11. Angling Fair

CEO provided the Board with an interim report of the 2009 Angling Fair. He added that this would be reviewed and a full report be presented to the Board at the next Board meeting. CEO advised that the Fair came in under budget and was very successful but with the weather, change of venue and economic downturn there were less people at the event that last year. Chairman of the Board added that he had attended the prize giving on the Saturday evening and the Angling Fair on the Sunday and wished to commend Loughs Agency staff on a very good collective team effort, he added that it was a very successful event and on behalf of the Board would like to pass on thanks to all staff for their great efforts.

12. Action re Omagh Fish Kill

Reserved

13. Memorandum of Understanding

CEO provided the Board with a copy of the above that had previously been approved by the Board but had recently been signed by both parties.

14. Presentation by Elisa Capuzzo “Causes of Variability in Primary Production in Carlingford Lough”

Barry Fox, Director of Aquaculture and Shellfisheries apologised to the Board that unfortunately Elisa was unable to attend the meeting but had sent her presentation for their information.

15. A.O.B

July Meeting

CEO advised the Board that the Board Meeting that was due to be held on the 1st July 2009 had to rescheduled and would now take place on the 8th July 2009 in Carlingford.

16. Date and Venue of Next Meeting

The next meeting of the Board will be held on Wednesday 6th May 2009 at Loughs Agency Headquarters, Prehen.