

56th MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 6th May 2009 @ 11am

Loughs Agency Headquarters, Prehen

Attendees

Present

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

In Attendance - Loughs Agency

Derick Anderson – CEO
John McCartney – Director of Conservation and Protection
Barry Fox – Director of Aquaculture and Shellfisheries
Laura French (Minutes)

1. Apologies

Jacqui McConville (Vice Chair)
Enda Bonner
Brendan Byrne
John Pollock – Director of Corporate Services
Gerard Mills – Director of Development

2. Minutes of the Previous Meeting

The minutes of the previous meeting were agreed.

Proposed Winston Patterson
Seconded Joe Miller

3. Reserved Minutes

The proposed reserved minutes were approved.

Proposed Winston Patterson
Seconded Joe Miller

4. Matters Arising

None

5. CEO Report

CEO advised the Board that the NSMC Sectoral meeting took place on Thursday 30th April 2009 in Carlingford and was attended by CEO, Tarlach O'Crosain and Jacqui McConville from the Loughs Agency. The Board were provided with the joint communiqué from the meeting. He added that the licensing of fishing engines had been approved and the Agency had received retrospective approval for the typo in the hardship scheme, the Agency are now awaiting the State Aid approval letter before paying out the third and final tranche.

CEO provided the Board with the joint communiqué for the 4th institutional meeting which covers issues and concerns over pay arrangements. He added that the Department of Finance have not made any changes.

6. Directors Report

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

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 season is now closed. It has been a poor season and markets have proved quite difficult. This has been the experience throughout the industry on the Island. Farmed oysters have also been difficult to market. This experience has not been confined to Ireland. It is a result of limited demand for the product.

The amendment Regulations for the oyster fishery are currently out for consultation. To date we have received two responses. Both have these have been from statutory consultees and do not pose the Agency any difficulties. It is expected that more consultation responses will be received in the following two weeks.

Wild Mussel Fishery

The wild mussel fishery has continued to experience poor demand as with the oyster industry. The season in Carlingford has now come to an end. Lough Foyle has a limited fishery throughout the summer months supplying local markets.

The period for consultation on the proposed Regulations for the conservation, management and development of the wild mussel (*Mytilus Edulis*) in Lough Foyle (12 WEEKS ENDING 30th January 2009) is now complete and a table of comments are attached for your consideration.

SEA

The scoping report for the Strategic Environmental Assessment has now gone to consultation with the relevant authorities and agencies. I have attached for your information the cover letter and report as distributed.

Rising Tide (BGMCF)

The third meeting of the Forum took place on the 27/4/09 in the BIM offices in Dun Laoighaire. The meeting was very constructive and discussions took place on issues surrounding Natura 2000 sites in the Irish Sea and Cromane and also the possible restrictions to be applied in Northern Ireland waters in or near to Natura sites.

Discussion also to place on the progression of the new stock tracking system to be developed and also the possible funding streams available to finance the project. Fiona Geoghan from the marine institute gave a presentation to the Forum members on the Aquatic Animals Directive and its transposed national legislation. It is now a requirement for all aquaculture operators on the Island to have a fish health management plan and a fish health authorisation from the marine Institute or DARD. I have given an overview below of the persons that must comply with the new Regulations.

Key New Features

- All aquaculture production businesses must obtain fish health authorisation from the Marine Institute or DARD.
- A public register of aquaculture production businesses will be published by 1st August 2009
- A register of transporters of aquaculture animals will be established by September 2009.

- Risk-based fish health surveillance will be carried out by the Marine Institute or DARD.

Who should apply?

- Finfish and shellfish farmers
- Shellfish purification and dispatch centres
- Put-and-take fishery owners/managers
- Commercial aquaria
- Certain aquaculture processing businesses, ornamental and experimental facilities

Monitoring Vessel

The Agency's monitoring vessel arrived in Sheerness in mid April. During the initial trials it was discovered that there was major faults occurring with the engines. On discovering this an engineer from Scania UK was dispatched to the vessel. The engineer reported that the work carried out on the engines in New Zealand by Challenge Marine had caused the damage to the engines. There is also a snagging list that includes electrical items and fuel pumps that need to be addressed. Challenge have verbally committed to the works being completed under guarantee subject to their representative inspecting the vessel. The vessel was dispatched to Mc Duff Shipyard in Scotland where it is anticipated repairs will be completed.

Aquaculture Regulations

The Aquaculture Regulations 2009 are currently out for consultation. On the date of writing this report, no responses have been received.

Development

Gerard Mills, Director of Development sent apologies but CEO provided the Board with the following report;

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 fourteen project promoters have been processed and payment has been made - totalling £29,672 and €11,437.

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.

One further project was a reserve project that received a Letter of Offer but failed to complete. The Agency has withdrawn the offer.

2009 Sustainable Development Applications Update

All Letters of Offer are now on hold due to a query raised by DARD in terms of DFP Ministers approval and whether this is required.

Newry Canal

Now have agreement to take forward a Memorandum of Understanding to a full meeting of Newry and Mourne District Council for approval.

Training

Training will take place for temporary staff on the 29th of May and 5th of June 2009.

Awaiting final numbers for training in Risk Assessment and Microsoft Office for office based staff.

Additional training I engine maintenance, crane operations for the new boat and 4x4 training to take place shortly.

Online Licensing

See attached draft paper summarising the current situation and suggesting ways forward. We have been in touch with the Environment Agency in the UK and they have kindly agreed to host a small delegation to discuss how they went about it and what the pitfalls were.

Communication Strategy

Board members are asked what their preferred method of contact by representatives from Deloitte who are working with the Agency to establish a baseline to measure our current communications ability and set benchmarks for the future. (Suggested methods are e-mail, telephone or letter). They wish to speak to all members.

Corporate Services

John Pollock, Director of Corporate Services sent his apologies but CEO provided the Board with the following report;

Finance

The first quarter of grant aid and expenditure is on target and the request for the 2nd quarter is being prepared. Expenditure is on target however impact of proposed efficiency cuts are not known and budget profile may have to be revisited when guidance from the Departments of Finance is received. The Hardship Package 3rd and final tranche was due in April 2009 (awaiting clearance from Northern Ireland Audit Office to make final payments).

Audit

2007 Financial Statements (end 31st Dec 07) still awaiting sign off by C&Ags (North and South). Audit Committee Meetings held on 27th March and 22nd April 2009. Meeting held 22nd April 2009 with Internal Audit North and South re 3 year Audit strategy. Next Internal Audit planned for August 2009. NIAO and C&AG Dublin Audit on 2008 accounts commenced on 20th April 2009. Their findings will be tabled for discussion by the Board and audit subcommittee later in the year. Further training to be sourced for the audit committee members

Corporate Governance

Risk Management workshop held in February 2009 and Risk Register and profile updated. Risk register/profile discussed at the Audit Sub Committee meeting held on 22nd April 2009.

NSMC

NSMC Sectoral meeting 30th April 2009 date and venue of next meeting to be agreed. Possibly July in Northern Ireland

Staffing Recruitment / Vacancies

Staffing loading review commenced all staff scheduled for interview. 1 Riverwatcher vacancy. 1 storeman vacancy (Mr James Burns Medically retired. Recruitment of temporary seasonal staff (Riverwatchers and Assistant Scientific Officers) commenced.

Annual Report

2007 Annual Report initial draft complete and with Sponsor Departments for comment and clearance will be on the July NSMC Sectoral Meeting Agenda and then published and laid before the Assembly and Oireachtas

Corporate and Business Plan 2008 – 2010

Completed and published.

Business Plan 2009

Draft complete awaiting comment from Sponsoring Departments and Departments of Finance on efficiency savings but plan was passed by NSMC at the April Sectoral Meeting.

Pensions

Discussion ongoing awaiting response from the Department of Finance. Meeting to be arranged with HM Cabinet Office

Equality

Nothing to report – progress report on 2008 being complied will be reported on to the Board later in the year.

Accommodation

Work on the redesign of reception area to commence shortly. Greencastle accommodation partnership with community association target completion end of 2009 nothing further to report

Conservation and Protection

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

The 2009 salmon run in the River Mourne looks promising, as can be seen in the fish counter data. The Finn run appears to have been disappointing, but may pick up yet.

The season has been marred by a significant increase in illegal netting, with what appears to be a number of people poaching who were not on the scene for the last few years. Protection staff are working hard to combat the problem, but are currently being stretched to full capacity in dealing with it.

The Burnfoot River has suffered a significant kill with a number of juvenile fish loses in a river that is of significant concern to the Agency. Staff have secured electro fishing, biological and chemical analysis, and a file against a farm owner will shortly be with our solicitors.

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A coarse fishing initiative has been launched but the interest seems to be limited.

Consultations

A table of Regulations as presented to the North South Ministerial Council presented to update the Board on the current position.

Health and safety

There were no accidents reported since the last Board meeting. A policy review of the existing Health and Safety Policy has begun and a draft interim report is due at the end of the month. The staff Health and Safety handbook has been completed and is awaiting the addition of pictures to illustrate it.

Fish Counters

The independent review and validation project for the Agency counters has moved forward, with a series of planned information sessions for local angling clubs, at the request of the Salmon and Inland Fisheries focus group independent members.

The counts below are all minimum counts and are illustrated for comparative purposes only. The Newry and Omagh counters only came into full operation in 2008

Comparative Summary fish counter data

	2005 Jan to March	2006 Jan to March	2007 Jan to March	2008 Jan to March	2009 Jan to March
Faughan	69	36	156	165	-35
Finn	183	75	84	60	42
Sion Mills	27	55	156	829	721
Roe	28	330	524	25	47
Corrick	0	0	163	49	3
Newry	Not available	Not available	Not available	36	17
Omagh	Not available	Not available	Not available	43	13

Enforcement Actions

To date in 2009 Agency staff have seized;

25 Illegal nets (520m), 26 Fishing rods, 21 fish, 2 cars, 4 bags of oysters, and associated items including Tripod, 2 dry suits, 5 torches, 1 baton, 1 knife, tins of sweet corn, and 1 back pack.

Agency staff have dealt with 17 pollution incidents and taken 8 sets of statutory samples.

Smolt trapping

Staff have begun to operate the River Faughan Smolt trap. The trap has been operated since 2003 as a partial Smolt trapping facility.

This trap allows Agency staff to measure both the size and number of Smolts in a given period, and allows the Smolts to be Coded Wire Tagged. This involves the insertion of a small (1.1mm) length of stainless steel wire, which is magnetised and binary coded, into the nose of the salmon. This can be easily found with an electronic reader.

This project is tied in with the SALSEA project, and allows the rapid identification of the origin of the fish captured by the SALSEA researchers.

Environmental issues

Agency scientific staff have been working hard on developing responses to consultation documents on a wide variety of topics, including;

- Water Framework Directive River Basin plans
- Planning Policy 21 on development in the countryside
- A5 Road widening scheme
- Marine Bill

NASCO

The North Atlantic Salmon Conservation Organisation, (NASCO) 26th Annual Meeting will be held in Molde, Norway during 2-5 June 2009. The Loughs Agency forms part of the Irish contingent, as part of the broader EU delegation. 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.

7. NSMC

Covered in CEO's report.

8. Audit Sub Committee and Internal Audit Strategy 2009-2011

CEO provided the Board with the minutes of the above meetings for their information.

Proposed Joe Miller
Seconded Alan McCulla

9. Monitoring Vessel

Covered in Director of Aquaculture and Shellfisheries' report.

10. Interreg and Transterritorial Measures

CEO advised the Agency is waiting to make the final submission on 10th July 2009 for 2 applications with SCENE and CMAR and the other with Ayrshire County Council and Causeway Coast and Glens Heritage Trust for Community River Basin Management Project.

11. Legislative Programme

Covered in Director of Conservation and Protection's report.

12. Efficiency Savings

Covered in Director of Corporate Service's report.

13. Medical Retirement

CEO asked the Board to approve the medical retirement of Jim Burns storeman to the Agency due to chronic heart disease.

Proposed John Mulcahy
Seconded Denis Haughey

Chairman asked that a letter of best wishes be issued to Jim thanking him for his contribution over the years.

14. Sustainable Development Fund

CEO advised the Board that the Development Sub Committee made up of Jacqui McConville, Winston Patterson, Denis Haughey, Jim Wilson, Thomas Sloan and Tarlach O'Crosain had

met with Gerard Mills to approve the above project and had asked that 3 of the projects be re-scored. CEO provided the Board with a copy of the new scoring and a revised copy of the minutes of the meeting where this took place. CEO asked for approval on 3 items;

Approval for the revised scoring

Proposed Denis Haughey

Seconded Jim Wilson

Approval for the revised minutes

Proposed Alan McCulla

Seconded Jim Wilson

Approval for the go ahead on all projects approved in the minutes

Proposed Denis Haughey

Seconded Thomas Sloan

15. Angling Shows 2009

CEO provided the Board with a list of angling shows that the Agency would like to visit in 2009 and asked for their approval to proceed.

Proposed Alan McCulla

Seconded Winston Patterson

16. Unsocial Hours

Chairman provided the Board with a letter from staff voicing their concerns that the above allowance was still not paid. CEO advised that this was very frustrating as the Agency thought that this would be passed at the last NSMC but there had been difficulties between DARD Economist and the Department of Finance. He added that he was meeting with FPM in the morning to try and get this issued resolved as a matter of urgency. Chairman advised that he would issue a letter to Union representatives.

17. Omagh Fish Kill

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18. Communication Baseline Assessment

CEO advised that the Agency had employed Deloitte to carry out the above and advised that they would like to conduct a short

interview with each Board member. He advised that Laura French would be in contact with each Board member to ask if they would like the interview carried out over the phone or by email.

19. Seed Mussel Survey

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

20. Water Quality Presentation

Declan Lawlor, Environmental Officer with the Loughs Agency provided the Board with a short presentation on the above.

21. A.O.B

None

22. Date and Venue of Next Meeting

The next meeting of the Board will be held on Wednesday 8th July 2009 at Loughs Agency Offices, Carlingford