

58th MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION

Wednesday 16th September 2009 @ 11am

Loughs Agency Headquarters, Prehen

Attendees

Present

Tarlach O'Crosain (Chairman)
Jacqui McConville (Vice Chair)
Thomas Sloan
Joe Miller
Denis Haughey
Winston Patterson
Enda Bonner
Alan McCulla
Jim Wilson
John Mulcahy

In Attendance - Loughs Agency

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

1. Apologies

John Byrne
Brendan Byrne

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 reported to the Board that the third and final tranche of the Hardship Package had been paid out.

CEO gave a short update to the Board on the Agency's pension issue. He advised that there were currently 7 options that the Agency's legal advisers were investigating.

RESERVED

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 short report;

Finance

The 3rd quarter of grant in aid drawdown is complete. 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 has been paid out.

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. 3 year Audit strategy agreed with Internal Audit. Internal Audit commenced August 2009, findings will be raised at the next audit committee meeting (date to be arranged). NIAO and C&AG Dublin Audit on 2008 accounts commenced on 20th April 2009. Their draft report is awaited and the findings will be tabled for discussion by the Board and audit subcommittee later in the year. Further on board training to be sourced for the audit committee members

Corporate Governance

Risk Management workshop held in February 2009 and Risk Register and profile updated.

NSMC

NSMC Sectoral meeting 23rd October 2009 venue of next meeting to be agreed in South.

Staffing Recruitment / Vacancies

Staffing loading review on hold. 2 Riverwatcher vacancies, interviews on 14th and 15th September 2009. 1 storeman vacancy, interviews on 14th and 15th September 2009.

Annual Report

Final NSMC clearance of the 2007 Annual Report on hold until the 2007 accounts are signed off by the C & Ags. Draft 2008 report submitted to Departments for comment.

Business Plan 2009

Draft complete awaiting clearance from the Departments of Finance and also guidance on efficiency savings.

Pensions

Discussion ongoing with Department of Finance. Meeting to be arranged with HM Cabinet Office and Revenues North and South.

Equality

Annual Progress report submitted to the Equality Commission.

Accommodation

Greencastle accommodation partnership with community association still being considered.

Advisory Forum

Next meeting on the 23rd September 2009.

Conservation and Protection

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

The 2009 commercial season was the lowest commercial catch in Loughs Agency records. While this reflects a significantly diminished effort on many previous years, other factors also

affected the fishery. The commercial fishermen are strongly of the opinion that the fish runs have been later, and thus the window of the commercial season has been disproportionately affected. They have raised with the Agency a request for a review of the fishing season to allow them to harvest more fish. This request was previously raised at the Advisory Forum Focus Group who met with the commercial fishermen to hear their arguments. However the subgroup felt that any extension to the season was not appropriate. The commercial and the angling season have been adversely affected by the weather conditions, particularly continuous flood water conditions in the later part of the season. Game anglers are likely, by the end of this season to have caught and retained more salmon than the commercial fishery.

The Agency has begun an engagement process with the coarse anglers and a baseline report is being prepared after a positive first meeting with the group, which was held in Newry.

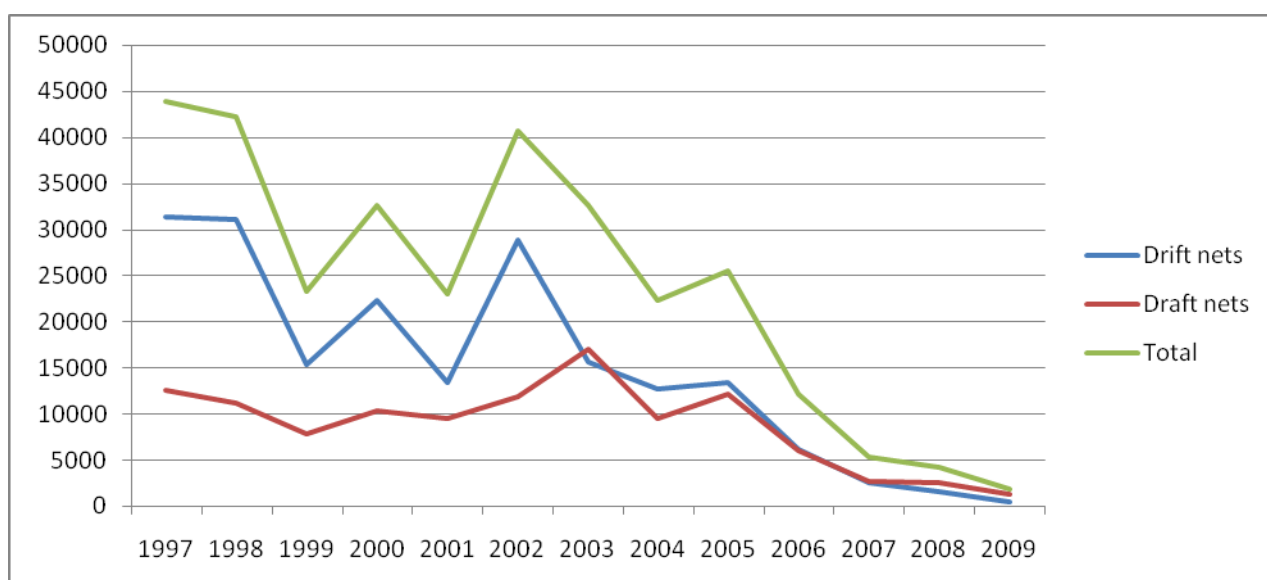
Consultations

An updated schedule of Regulations in development and consultations is attached for discussion by the Board members.

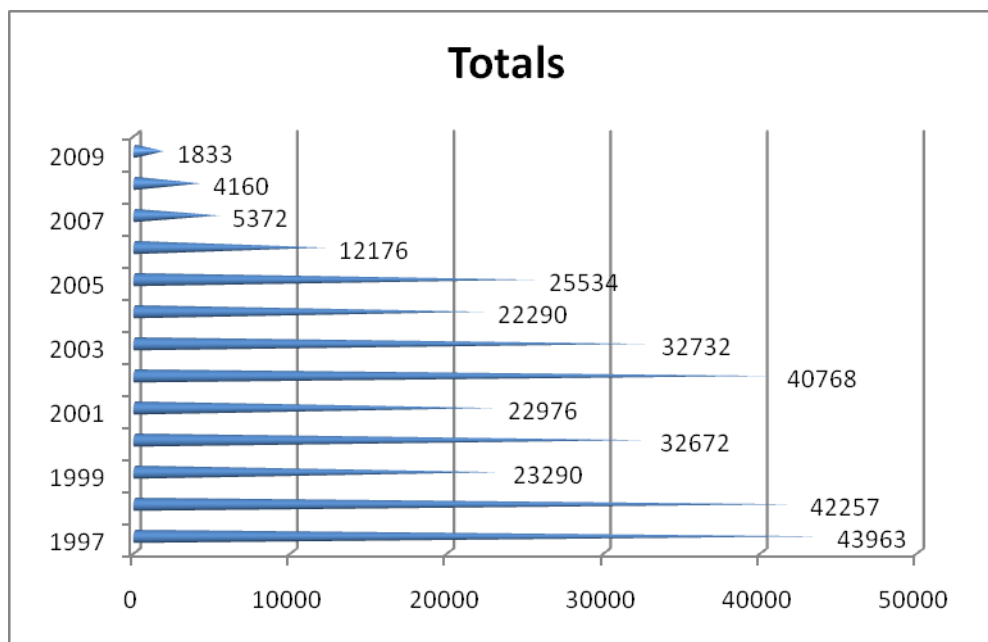
Health and Safety

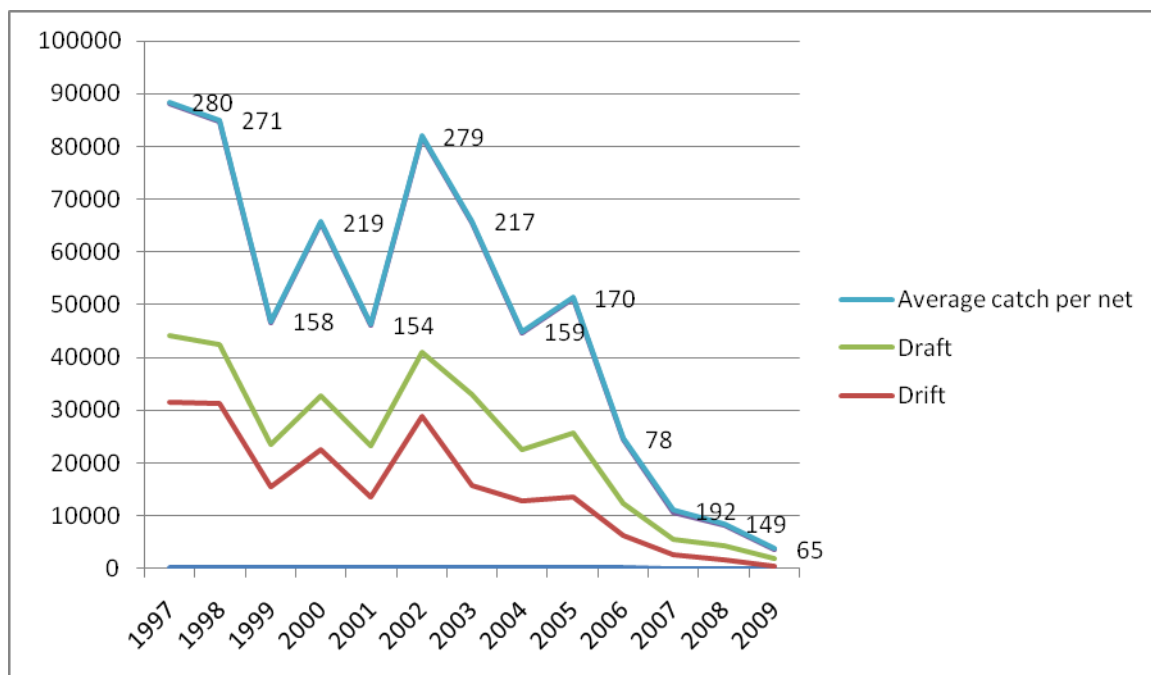
There were no accidents reported since the last Board meeting. All of the Agency offices have been the subject of Fire risk management plans and premises fire risk assessments as required by the Fire and Rescue services (Northern Ireland) order 2006 as amended.

Commercial catch summary



	Drift nets	Draft nets	Total
1997	31407	12556	43963
1998	31116	11141	42257
1999	15397	7893	23290
2000	22333	10339	32672
2001	13500	9476	22976
2002	28851	11917	40768
2003	15741	16991	32732
2004	12800	9490	22290
2005	13391	12143	25534
2006	6145	6031	12176
2007	2598	2774	5372
2008	1650	2510	4160
2009	507	1326	1833





Fish Counters

The independent review and validation project for the Agency counters made a number of recommendations for alteration and upgrade of the counters. This process is now underway with tenders being sought for both the supply of materials and works to be undertaken.

Comparative Summary fish counter data

	2005 January to August	2006 January to August	2007 January to August	2008 January to August	2009 January to August
Faughan	3322	2303	668	689	586
Finn	8071	5455	2941	2027	2093
Sion Mills	8451	8335	3395	1884	7215
Roe	1877	1074	3749	2464	849
Corrick	1228	39	173	15	342
Newry	Not available	Not available	Not available	171	46
Omagh	Not available	Not available	Not available	109	168

Enforcement Actions

In 2009 so far, Agency staff have dealt with 73 rod related offences, and seizures. Agency protection staffs have also seized 94 illegal nets, including 1 full drift net, 2 vehicles, 4 boats and 4 bags of Oysters as well as various other items.

Staff have dealt with 37 pollution incidents, and taken 9 sets of statutory samples.

Environmental Issues

Agency staff are heavily involved in consultation and policy development on a number of areas, the current areas of specific concern are;

- Hydroelectric proposals on Roe, Camowen and Deelee rivers
- River Mourne Abstraction licence for Herdmans
- Road schemes in development
- Floods directive and fisheries impacts
- Water Framework Directive
- Development of Sustainable Urban Drainage policies
- Proposed Sewage work at Benone

All of these issues have the potential to impact the environment and our stakeholders, Conservation and Protection staff are happy to discuss in more detail any of the specific issues with members of the Board.

Development

Gerard Mills, Director of Development provided the Board with the following report;

Interreg bids

Letter of offer has now been received and accepted.

Angling Academy

Tender has been awarded to provide alternative diversionary activities for young people during the summer months and weekends. We also seek to grow angling by developing the activity with young people.

2008 Sustainable Development Projects Update

A hiatus has been hit in respect of progressing these Letters of Offer as sponsor Departments feel that the necessary approvals

have not been sought. To stress, the Agency followed the advice given in 2007 to the letter but it is believed that finance Ministers' approval should have been sought separately [Board are asked to note that the funds used are part of the Agency's block funding from sponsor depts. And as such are approved annually by Ministers of Finance].

Training

Training needs are being identified for staff for 2009/2010

Awaiting final numbers for training in

- Risk assessment
- IOSH
- Fire Risk Assessment and warden training
- crane operations for the new boat
- and 4x4 training
- equality
- VHF Module 2
- Fire fighting at sea

Communication Strategy

The draft report is completed for the Boards Consideration.

Aquaculture and Shellfisheries

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

The Foyle Area (Control of Oyster Fishing) (Amendment) Regulations 2009

The above Amendment Regulation is before the Agriculture and Rural Development Committee on the 22nd September. Further submissions were invited by the Agriculture and Rural Development Committee from the individuals and groups that responded to the Agency's consultation on the above Regulation. The Agency has submitted further supporting documents relating to the fishery including evidence that there would be a serious risk to the long term sustainability of the fishery from the spread of *Bonamia* if the fishery is permitted to be restricted by weight as opposed to shell size. The Agency has also furnished the Committee with a paper from AFBI supporting the Agency's approach. I have attached this letter and supporting documentation for your information.

Oyster Fishing Season 2009/2010

The 09/10 oyster fishing season opens on Monday 21st September. Nine applications have been approved out of fifty four by the Agency to date. The applications not approved are awaiting outstanding paperwork or payment of the licence fee. The fishery will continue with a 75mm restriction on landed oysters until the decision from the Agriculture and Rural Development Committee is heard on the 23rd September.

SEA

The Agency is currently developing options for the Implementation Plan with Faber Maunsell AECOM. It is anticipated that the public information days will be held in early October with a view to the Environmental Report and Implementation Plan being made available in November.

Monitoring Vessel

The monitoring vessel repairs are now completed. The vessel is currently slipped at Macduff Shipyard where the props are being changed and the marine growth on the hull is being removed. There will be an incline test carried out on the vessel this week and its stability book will be produced so that the vessel can be coded. It is expected that the vessel will be making its journey to Northern Ireland next week subject to weather conditions.

7. Tweed and Birr Evaluations

Gerard Mill's provided the Board with the above for their information.

8. Angling Fair 2010

Gerard Mills, Director of Development provided the Board with an options paper for the 2010 Angling Fair for their consideration. After a discussion it was decided that due to the amount of information in the paper that the Development Sub Committee would meet separately to the Board and discuss this and bring their views back to Board at their next meeting.

9. Approval for Mill Bay Development

Gerard Mill's, Director of Development provided the Board with a paper of information on the above and sought their approval.

Proposed Winston Patterson
Seconded Alan McCulla

10. Approval to Support Mourne Heritage Trust Further Develop Coastal Path Development

Gerard Mill's, Director of Development provided the Board with a paper of information on the above and sought their approval.

Proposed Alan McCulla
Seconded Jacqui McConville

11. Science Cabin

Gerard Mill's, Director of Development provided the Board with a paper of information on the above and sought their approval.

Proposed Joe Miller
Seconded Jim Wilson

12. Proposal to Bring Forward Reserved Projects from Loughs Agency Funds

Gerard Mill's, Director of Development provided the Board with a paper of information on the above and sought their approval.

Proposed Jacqui McConville
Seconded Enda Boner

13. Riverwatch Enhancement of Educational Facilities

Gerard Mill's, Director of Development provided the Board with a paper of information on the above and sought their approval.

Proposed Jim Wilson
Seconded Thomas Sloan

14. Equality Progress Report

John Pollock provided the Board with the above report, which has to be completed each year by the Agency, for their information.

15. Oyster Fishery

This was covered by the Director of Aquaculture and Shellfisheries in his report.

16. MMV Ostrea

This was covered by the Director of Aquaculture and Shellfisheries in his report.

17. On Board Training

This was covered by the Director of Corporate Services in his report.

18. Laptops for Board Members

John Pollock, Director of Corporate Services advised that following on from an email from Laura French that 4 Board members required laptops and these would be available at the next Board meeting.

19. NSMC

CEO provided the Board with a copy of the Joint Communiqué from the last North South Ministerial Meetings for their information.

20. Regulations

John McCartney, Director of Conservation and Protection provided the Board with a copy of the Regulations table for their information. It was decided that the Salmon and Inland Fisheries Focus Sub Committee would discuss this in more detail at their next meeting.

21. Demonstration of Freshwater Web Viewer by Rachel Scott

The above presentation was postponed to the next Board meeting.

22. A.O.B

2008 Annual Report

John Pollock provided the Board with a copy of the above for their approval.

Proposed Denis Haughey
Seconded Alan McCulla

23. Date and Venue of Next Meeting

The next meeting of the Board will be held on Wednesday 25th November 2009 at Loughs Agency Headquarters, Prehen.