

# **108<sup>th</sup> MEETING OF THE FOYLE CARLINGFORD AND IRISH LIGHTS COMMISSION**

**Friday 9<sup>th</sup> February 2018 at 11am**

**NSMC Offices, Armagh**

## **Attendees**

### **Present**

Laurence Arbuckle (Chairman)  
Andrew Duncan (Vice Chair)  
Allan Ewart  
Fiona Walsh  
Heather Mackey  
Ian McCrea  
Michael McCormick  
Mick Murphy  
Patrick Gibbons  
Phil Mahon  
Terry McWilliams

### **In Attendance - Loughs Agency**

Sharon McMahon – Designated Officer  
John McCartney – Director of Conservation and Protection  
Barry Fox – Director of Aquaculture and Shellfisheries  
Kevin Wilson – Director of Development  
JP O’Doherty – Interim Director of Corporate Services  
Laura McCready (Minutes)

Chairman opened the meeting by welcoming everyone to the North South Ministerial Council (NSMC) Offices in Armagh. He advised that Tanya Gillanders and Alison Moore from the NSMC Joint Secretariat, would be presenting to the Board on the role of the NSMC.

Chairman welcomed the guests to the meeting and a round table introduction took place, followed by a comprehensive presentation.

## **1. Apologies**

Alastair Patterson

## **2. Conflict of Interest**

There were no conflicts of interest with any agenda items.

## **3. Minutes of the Previous Meeting**

The minutes of the previous meeting were agreed as an accurate record.

Proposed Michael McCormick  
Seconded Fiona Walsh

Michael McCormick reported that following an enquiry that he had made regarding minutes, he had been advised that Board Meeting minutes are sent firstly to both Sponsor Departments for information and comment. He added that he was not in agreement with this and asked that when minutes are forwarded to both Sponsor Departments, that this is for information purposes only. Michael also asked that the Board receive the minutes at the same time as Sponsor Departments.

Chairman advised that this matter had also been highlighted at a meeting that he attended with the Audit and Risk Committee and advised that following same he now received a copy of minutes at the earliest opportunity.

Vice Chair advised that he objected to any material changes being made to minutes, unless the Board instructed this to be done.

Fiona Walsh suggested that if Sponsor Departments had any issue with minutes that they should add a note to the minutes and this would be considered by Board Members.

Going forward it was agreed that Board minutes would be circulated to Board Members and Sponsor Departments within 15 working days of the Board Meeting.

Proposed Michael McCormick  
Seconded Patrick Gibbons

## **4. Reserved Minutes**

The reserved minutes from the previous meeting were agreed by all.

Proposed Michael McCormick  
Seconded Fiona Walsh

## **5. Matters Arising**

There were no matters arising from the previous minutes.

## **6. CEO Report**

### Brexit

Designated Officer advised the Board that Bernadette Roberts, Political Economist Officer from the US Consulate, had visited the Agency on the 26<sup>th</sup> January 2018 to discuss the effects Brexit may have on Loughs Agency.

RESERVED

### Capital Bids

Designated Officer advised that the Agency were awaiting further advice from Sponsor Departments regarding Capital Bids and the salaries budget.

RESERVED

## **7. Directors' Reports**

The Chairman advised the Board that Members had been provided with the Directors' Reports and asked if Members had any questions, or issues, they wished to raise with the Directors.

### **Corporate Services**

JP O'Doherty, Interim Director of Corporate Services, asked if there were any questions in relation to his report.

Phil Mahon asked for clarification in relation to the new guidance relating to the 2017 Business Plan. JP advised that the 2017 Business Plan had been with the Sponsor Departments for final approval, however, following new guidance, which overrides any earlier approval of a Departmental Minister, the additional sections within the guidance now need to be incorporated, with the view to seeking full approval in due course.

JP advised the Board that the Agency were currently in discussions with the Department of Agriculture, Environment and Rural Affairs (DAERA) regarding funding for spend on the Glenelly Valley following the flood of August 2017.

Mick Murphy asked for an update regarding the Carlingford Office. JP advised that discussions were ongoing with Sponsor Departments regarding same. He added that Alastair Patterson was currently reviewing the plans for a new build in Carlingford, however the Agency were finding it difficult to locate a suitable site for same.

There were no further questions/comments in relation to this report.

### **Aquaculture and Shellfisheries**

Barry Fox, Director of Aquaculture and Shellfisheries asked if there were any questions in relation to his report.

Michael McCormick asked for an update regarding the status of the purchase of a new vessel. Barry advised that as the Board had been advised discussions on this commenced in March 2016, this included inspection of vessels used by other Departments and Agencies in both jurisdictions. An options paper had been drafted and forwarded to Sponsor Departments in June 2016. He added that following a number of amendments, he submitted the final draft of same and was due to receive a response by 10<sup>th</sup> January 2018. Barry reported that the Agency had been hiring industry vessels to complete survey work, however health and safety issues had been raised regarding same, therefore the Agency is currently in the process of tendering for vessels with toilet facilities and seating for survey work, which would increase the cost significantly.

Board Members raised great concern regarding the delay in obtaining agreement of the options paper and the financial implications of hiring a vessel, with the additional facilities on the Agency. Following a lengthy discussion Board Members requested that the Chairman write to Sponsor Departments asking for assurance that the insurance settlement that had been received for the MMV Ostrea, was available for the purchase of a replacement vessel. In addition, they asked for an urgent update from Sponsor Departments regarding the options paper and requested that the Departments expedite the process required to have a vessel procurement agreed for the Agency.

There were no further questions / comments in relation to this report.

## **Conservation and Protection**

John McCartney, Director of Conservation and Protection, asked if there were any questions in relation to his report.

Chairman highlighted the issue regarding the escape of rainbow trout into the River Mourne and asked for a copy of the experts report regarding same. Allan Ewart also asked if he could receive a copy, together with the court report regarding the case.

Phil Mahon highlighted the issue of staff receiving tetanus injections where required, as this was mentioned in the Agency's Health and Safety Policy. John advised that he would review this and advise staff accordingly.

There were no further questions / comments in relation to this report.

## **Development**

Kevin Wilson, Director of Development, asked if there were any questions in relation to his report.

Chairman asked for an update on the Maritime Ambassadors programme. Kevin advised that the programme was complete and the evaluation was underway. He added that this programme was challenging with a 60% drop out rate, and very different from the Foyle Ambassadors programme.

Ian McCrea asked for an update regarding the number of social media accounts held by the Agency. Kevin advised that the Agency had taken advice from local Council and Tourism Bodies regarding their social media presence. He added that the Agency were seeking a customer facing presence whilst being mindful of the public's needs, this therefore would result in a reduced number of social media accounts.

Fiona Walsh asked if it would be prudent for the Agency to communicate directly with the Ulster Farmers Union and Irish Farmers Union to try and alleviate pollution. Kevin advised that Conservation and Protection staff communicate daily with farmers on the ground and build up relations with them.

Ian McCrea asked for an update regarding the Agency rebranding. Kevin advised that following staff consultation a logo had been produced by DAERA Graphics Unit. Designated Officer advised that when a final decision had been made by the Senior Management Team this would then be brought to the Board.

Kevin advised that the Agency were hosting a number of events throughout 2018 which may be of interest to Board Members. He added that invitations would be sent to the Board via Laura McCready.

There were no further questions / comments in relation to this report.

## **8. Finance Update**

The Board was provided with a financial outturn report up to the end of December 2017. JP O'Doherty advised the Board that the 2018 budget as yet, had not been agreed, however the first drawdown of 2018 grant in aid had been facilitated by the Department of Communications, Climate Action and Environment (DCCA).

## **9. Risk Register Update**

JP O'Doherty advised that Ally, the company completing the review of the Risk Register, had met with each of the Directors and had provided a first draft to the Designated Officer. He added that following review of same an update would be provided to the Audit and Risk Committee at their next meeting.

## **10. Outturn Against Targets**

JP O'Doherty advised Board Members that the latest Outturn Against Targets were being drafted and would be provided at the next Board Meeting.

## **11. Audit and Risk Committee Update**

The Board was provided with a copy of the draft minutes of the 12<sup>th</sup> December 2017 meeting for information.

RESERVED

## **12. 2017 Health & Safety Review**

The Board was provided with copies of the 2017 Staff Accident Data, the Agency's Health and Safety Policy and the Agency's Health and Safety Strategy prior to the meeting, for endorsement.

Patrick Gibbons highlighted the wearing of body worn cameras and asked if the Agency had encountered any data protection issues regarding same. John McCartney advised that the Agency follow the same protocols as the PSNI and HMRC in Northern Ireland. He added that the Agency had taken advice from the Information Commissioner in the Republic of Ireland regarding this issue and follow their guidance in southern Ireland.

Regarding the 2017 Accident Report Fiona Walsh asked if any of the accidents occurred whilst lone working. John McCartney advised that none of the accidents occurred whilst lone working.

Chairman asked if action had been taken following each accident. John McCartney advised that following each accident, regardless of how minor, there is an investigation, a report to the Health and Safety Committee and recommendations implemented.

Proposed Patrick Gibbons  
Seconded Chairman

## **13. Regulatory Review**

The Board was provided with a copy of the Regulatory Review 2018-20 prior to the meeting, for endorsement.

Proposed Phil Mahon  
Seconded Ian McCrea

## **14. 2017 Fish Counter Results**

The Board was provided with a copy of the above for information.

Fiona Walsh highlighted the continuous drop in salmon numbers and asked if Board Members could assist in anyway regarding same. John advised that the Agency principally protect juvenile populations and fish habitat. He added that staff continuously

improve fish habitat to boost the number of smolts going to sea, in an attempt to ensure that as many fish as possible return.

## **15. Strule Trust Update**

Designated Officer advised that she recently attended a Strule Trust Meeting, at the request of the Audit and Risk Sub Committee, and continued to give an overview of same. She added that the Agency have put an options paper to the Trust in relation to the employment of a Project Manager and the Board would continue to be updated.

## **16. DAERA / Loughs Agency Board Meeting**

Chairman advised that he had been approached by DAERA to provide suggested dates for a meeting of the Foyle Carlingford and Irish Lights Commission and DAERA Board. However, given that the Department has just announced that there is going to be a new Permanent Secretary, Denis McMahon, the date for the Board meeting is to be agreed in the near future.

Chairman also advised that he had received notification that the recruitment for the permanent Chief Executive post would be advertised in the near future.

## **17. AOB**

There were no items of any other business.

## **18. Date and Venue of Next Meeting**

The next meeting of the Board will be held on Friday 13<sup>th</sup> April 2018 at 11am in the Four Season Hotel, Carlingford.

<b>Item No</b>	<b>Action</b>	<b>Responsible</b>	<b>Expected Delivery Date</b>
3	Board Minutes to be circulated to Board Members and Sponsor Departments within 15 working days of a Board Meeting.	Laura McCreedy	02.03.18
6	Paper to be prepared for Board Members regarding removal of salary augmentation.	Designated Officer	13.04.18
7	Letter to be sent to Sponsor Departments regarding insurance settlement for MMV Ostrea and purchase of replacement vessel.	Chairman	13.04.18
7	Experts report regarding rainbow trout escape to be forwarded to Chairman and Allan Ewart.	John McCartney	13.04.18

	Court summary regarding rainbow trout escape to be forwarded to Allan Ewart.		
7	Policy regarding tetanus vaccination to be reviewed.	John McCartney	13.04.18