

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

**Wednesday 12<sup>th</sup> December 2018 at 11am**

**Mellon Country Inn, Omagh**

## **Attendees**

### **Present**

Phil Mahon (Acting Chair)  
Alastair Patterson  
Allan Ewart  
Fiona Walsh  
Heather Mackey  
Michael McCormick  
Patrick Gibbons  
Terry McWilliams

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

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

### Private Time for Board Members

The Board did not require any private time.

Phil Mahon welcomed all to the meeting and explained that the Vice Chair had had a bereavement in his family, and was therefore unable to attend this meeting. She added that she was asked to Chair in his absence, as she is the longest serving Board Member.

## **1. Apologies**

Andrew Duncan (Vice Chairman)  
Ian McCrea

## **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 Fiona Walsh  
Seconded Patrick Gibbons

### **4. Reserved Minutes**

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

Proposed Fiona Walsh  
Seconded Patrick Gibbons

### **5. Matters Arising**

#### Strategic Planning Day

Acting Chair advised that the above had taken place on 30<sup>th</sup> November 2018. She added that the facilitators are now compiling information and will report back to the Board in early 2019.

#### Meeting with DAERA Board

Acting Chair asked for an update in relation to the above. Designated Officer advised that the DAERA Permanent Secretary's Office confirmed that, due to heavy diary commitments this meeting will unfortunately not take place until 2019.

#### Monitoring Vessel

RESERVED

All other Matters Arising from the previous meeting were complete, or on the agenda for discussion.

### **6. CEO Report**

#### SeaMonitor

Designated Officer advised the Board that Ross McGill has been appointed as Principal Project Officer for the SeaMonitor Project, and will commence employment with the Agency on 7<sup>th</sup> January 2019. Designated Officer continued to give Board Members an update on the current status of the SeaMonitor Project.

### Engagements

Designated Officer provided the Board with an update from a meeting that she and the Director of Corporate Services attended with DAERA Permanent Secretary Dr Denis McMahon, and Department of Finance Permanent Secretary Sue Gray, on 1<sup>st</sup> November 2018.

Designated Officer advised that Loughs Agency delivered a presentation to MEDRC, an international organisation, assigned to find solutions to fresh water scarcity in the Middle East, particularly managing transboundary waters. This took place on 29<sup>th</sup> November 2018 in Carlingford, hosted by the Department of Foreign Affairs.

### International Year of the Salmon / Loughs Agency 21<sup>st</sup> Anniversary

Patrick Gibbons asked for an update in relation to the above. Designated Officer advised that there is currently a Working Group within the Agency working on this. She added that there will be an event on 10<sup>th</sup> April 2019 to celebrate 21 years of Loughs Agency, as well as a number of events, and a Youth Conference throughout 2019.

### Budgetary Pressures

At the previous Board Meeting Designated Officer advised that she continued to raise the above issue with Sponsor Departments, particularly regarding the Agency's baseline salaries budget. Terry McWilliams raised concern in relation to this and advised that the Agency is operating on a reduced budget with reducing staff numbers, and if a resolution cannot be met in relation to this, the Agency may need to consider prioritising the work it can carry out.

Designated Officer advised that the Agency has received confirmation that it will receive £75,000 from each of its Sponsor Departments for 2019, therefore recruitments for some vacant posts can be progressed. She added that this is only for 2019, therefore the Agency will be required to bid for additional funds in subsequent years. However this will mean that posts can only be filled on a temporary basis.

## **7. Directors' Reports**

The Acting Chair advised the Board that Members have been provided with the Directors' Reports and asked if Members have any questions, or issues, they wish to raise with the Directors.

## **Aquaculture and Shellfisheries**

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

Acting Chair highlighted the late spat fall in the oyster fishery. Barry Fox confirmed that a late settlement event occurred at the end of the 2018 spawning season. He added that there was a price drop in the market for oysters in late 2018.

Terry McWilliams asked for an update in relation to the oyster trestles in Lough Foyle. Barry Fox advised that no update has been received since the last Board Meeting. Michael McCormick asked if the increasing numbers of oysters on trestles in Lough Foyle, may have a detrimental effect on the Native Oyster Fishery. Barry Fox advised that currently carrying capacity did not seem to be affected by the expansion of trestles, however this requires further investigation.

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

## **Conservation and Protection**

John McCartney, Director of Conservation and Protection, advised that a number of issues have arisen since he published his report. John provided Board Members with an update in relation to a number of recent court cases that have been through the courts.

John also provided updates in relation to rainbow trout, Merville / Greencastle sewage system, ongoing road schemes and a proposed goldmine in Co Tyrone.

Fiona Walsh highlighted the number of pollution incidents in John's report, and asked if this figure is on the increase. John advised that numerically the figure has increased, however the Agency has made a concerted effort to engage with its stakeholders, therefore more pollution incidents are being reported by the public. John added that the Agency is currently trying to negotiate the slurry spreading season, as this is currently dependent on date, whereas the Agency would prefer this to be in line with weather conditions.

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.

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

## **Corporate Services**

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

Patrick Gibbons asked for an electronic copy of the 2017 Annual Report. JP advised that this will be sent to all Board Members and added that this has been laid in the Northern Ireland Assembly Business Office, and is in the process of being laid in the Oireachtas.

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

## **8. Finance Update**

JP O'Doherty advised that Board Members were not supplied with a Finance Report prior to the Board Meeting, as the Agency's finances are changing significantly on a daily basis, due to end of year spend. He added that plans are in place for 2019, to ensure that this amount of end of year spend does not occur again.

Allan Ewart expressed his disappointment that a Finance Report was not provided, prior to or at the Board Meeting. Designated Officer advised that the Senior Management Team met prior to the Board Meeting, and were advised of additional robust budgetary procedures that will be in place for 2019. She added that she was disappointed at the high level of spend between November and December 2018. She assured the Board that going forward monthly reports on spend will continue to be robustly monitored.

Fiona Walsh advised that Committee Members were updated on the new processes at the recent Audit and Risk Committee Meeting. She added that large amounts of spend so late in the year, does not demonstrate value for money, and she therefore supports the Designated Officers plans for 2019. Fiona advised that the Audit and Risk Committee has committed to monitoring spend throughout 2019, and will report back to the Board at each Board Meeting.

## **9. Risk Register Update**

JP O'Doherty advised that the next Risk Management Meeting is scheduled to take place on 18<sup>th</sup> December 2018. He added that it was suggested that at the next Audit and Risk Committee Meeting, the new Strategic Risk Register be circulated and presented for discussion, between the Committee and its Sponsor Departments. This will then be presented to the Board at its next Meeting.

## **10. Outturn Against Targets**

Board Members were provided with copies of the most up to date Outturn Against Targets for their information. Patrick Gibbons advised that this is a very positive document, and suggested that it be aligned to the Strategic Risk Register. JP O'Doherty confirmed that this is part of the Risk Management process and will be aligned to the Risk Register.

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

Acting Chair advised the Board that the Audit and Risk Committee met on 21<sup>st</sup> November 2018, the minutes of this meeting will be provided to Board Members once approved. Acting Chair continued to provide an update of the meeting to Board Members. She advised that after 6 years as Chair of the Audit and Risk Committee, it is best practice that she step down, and a new Chair be appointed. Fiona Walsh proposed Patrick Gibbons for Chair of the Audit and Risk Committee.

Proposed Fiona Walsh  
Seconded Phil Mahon

Designated Officer advised that Mick Murphy was also a Member of the Audit and Risk Committee, and as his term on the Board has ended, his position on the Committee also needs to be replaced. She added that the Committee now consists of 2 Southern and 1 Northern appointed Board Members, therefore, another Northern appointed Board Member will be required. Allan Ewart advised that he did not wish to be considered for the Committee. Designated Officer asked Laura McCready to contact Ian McCrea, to determine if he would like to join the Audit and Risk Committee.

Heather Mackey advised that if it is possible, that another Southern appointed Board Member can sit on the Committee, she would like to take up this post. JP O'Doherty advised that 5 Board Members on the Committee would be 50% of the Board, and this was not good practice.

Designated Officer thanked Phil Mahon for her expertise and guidance during her term as Chair of the Audit and Risk Committee. Board Members echoed the Designated Officers' statement.

## **12. Monitoring Vessel**

This was discussed under Matters Arising.

## **13. Draft 2018 Annual Report**

Board Members were provided with a copy of the above prior to the Meeting. JP O'Doherty advised that the Agency requires Board approval to progress the Annual Report to Sponsor Departments.

Proposed Michael McCormick  
Seconded Terry McWilliams

## **14. Strule Trust**

Acting Chair welcomed Loughs Agency's Area Inspector Seamus Cullinan, a Director of the Strule Trust Peter Archdale and the Chair of the Strule Trust, Shane Colgan to the Meeting.

Peter provided the Board with a comprehensive history into the formation of the Strule Trust, more formally known as the Strule Tributaries and Rivers Trust (START), and added that START catchment has 1,061 km of river, 20% of Foyle system. Seamus Cullinan provided Board Members with an update on projects carried out by the Trust, and proposed projects for 2019.

Peter Archdale wished to formally record thanks to John McCartney and Seamus Cullinan, both of whom have been tireless in their support towards the group of inexperienced amateurs, that is now START. They have contributed enormously of their own time and energy to support us, far beyond the normal call of duty.

Designated Officer thanked the gentlemen for their attendance, and added that the Agency is waiting on a formal Partnership Agreement from its solicitors, following discussions with the Audit and Risk Committee. She added that the Agency is willing to work in partnership with the Trust, and recognises the importance of the Trust to the Agency. Designated Officer also thanked John McCartney and Seamus Cullinan for their expertise and guidance to date.

Fiona Walsh thanked the gentlemen for their update. She added that the Board has had numerous discussions in relation to the Trust, and she found the update very worthwhile and informative.

Shane Colgan thanked the Designated Officer for her attendance at the recent Trust Meetings. He added that the Trust has developed a great working relationship with the Designated Officer, and wished to thank her for this.

## **15. AOB**

### 2019 Business Plan

At the previous Board Meeting Designated Officer thanked those Board Members who had provided comments in relation to the above. JP O'Doherty advised that the suggested changes have been made and asked for Board approval for the above.

Proposed Patrick Gibbons  
Seconded Michael McCormick

### Dates and Venues for Board Meetings

Fiona Walsh advised that Board Members recently received the dates and venues for Board Meetings in 2019. She added that in some other organisations, there is a consultation process where Members have input into dates and venues for meetings, and suggested that going forward, this may be an option for Loughs Agency. Fiona advised that 2 of the Meetings are scheduled to be in Loughs Agency Headquarters, and this will mean 8 hours travel for some Members. Patrick Gibbons and Heather Mackey agreed with this. Designated Officer advised that due to the geographical spread of Board Members, it is inevitable that a number of Members will have to travel for each Meeting. She added that Loughs Agency Offices have the capability for conference calling, and this option is

currently being used by other Boards of North South Bodies. Designated Officer agreed to discuss the issue with the Vice Chair.

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

The next meeting of the Board will be held on Wednesday 27<sup>th</sup> February 2019 at 11am in the Four Season Hotel, Carlingford.

<b>Item No</b>	<b>Action</b>	<b>Responsible</b>	<b>Expected Delivery Date</b>
5	Letter to be issued to Sponsor Departments, with the amended Options Paper.	Barry Fox	January 2019
7	An electronic copy of the 2017 Annual Report to be issued to Board Members.	Laura McCready	January 2019
11	Laura McCready to contact Ian McCrea to determine if he would like to join the Audit and Risk Committee.	Laura McCready	January 2019