

**123rd MEETING OF THE FOYLE CARLINGFORD AND IRISH
LIGHTS COMMISSION**

Friday 30th October 2020 at 9.30am

Via Teleconference

Attendees

Present

Andrew Duncan (Vice Chairman)
Alastair Patterson
Allan Ewart
Fiona Walsh
Heather Mackey
Patrick Gibbons
Phil Mahon
Terry McWilliams

In Attendance - Loughs Agency

Sharon McMahon – Designated Officer
Laura McCready (Minutes)

Private Time for Board Members

The Board did not avail of private time before the Board Meeting commenced.

1. Apologies

Ian McCrea
Michael McCormick

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 Allan Ewart
Seconded Heather Mackey

4. Reserved Minutes

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

Proposed Fiona Walsh
Seconded Phil Mahon

5. Matters Arising

At the previous Board Meeting Board Members requested sight of correspondence sent to staff regarding their return to base following the lifting of COVID-19 restrictions. This action is complete.

Patrick Gibbons advised that as agreed at the previous Board Meeting, following a full review of Board papers he provided the Board Secretary with a number of queries for clarification. Patrick confirmed that all queries were resolved and reported that this proved a very useful exercise therefore, he requested that these queries and their subsequent replies be forwarded to all Board Members for information.

Phil Mahon advised that it was indeed very useful and thanked Patrick and the Board Secretary for their input. Phil noted an increase in the number of staff on sick leave at the end of 2019 and beginning of 2020 and asked if there was an explanation for the increase. Designated Officer advised that she will ask for the figures to be reviewed, however she suspects that this may be due to the time of year and common illnesses that occur during the winter months.

6. CEO Progress Report

Prior to the Board Meeting Board Members were provided with a comprehensive overview of current significant issues, strategic updates and governance and accountability updates from the Designated Officer.

COVID-19 Global Pandemic

Designated Officer advised that all administration, technical and professional staff continue to work successfully and securely from their homes. She added that as previously reported Fishery Protection staff returned to full operational duties from the 18th May 2020, and a full range of scientific surveys have also recommenced.

Designated Officer reported that to date the Agency has had no positive cases of COVID-19.

North South Ministerial Council (NSMC)

Designated Officer advised that the first Aquaculture and Marine Sectoral Meeting of the NSMC took place on the 21st October 2020 where the Agency's 2017, 2018, 2019 and 2020 Business Plans / budgets and the 2017-19 Corporate Plan were retrospectively approved. She added that the Agency's 2020-22 Corporate Plan was also approved at this meeting.

Designated Officer advised that the NSMC also noted the Agency's Annual Reports and Accounts for 2016, 2017 and 2018, which have been laid before the Northern Ireland Assembly and both Houses of the Oireachtas.

Fiona Walsh asked for clarification in relation to the renewal of framework for processing Loughs Agency emergency regulations, noted in sections 9 and 10 of the NSMC Joint Communiqué. Designated Officer advised that this is an NSMC process designed to support the Agency in dealing with emergencies such as serious pollution incidents. She added that this process was drafted in 2009 however, it has been agreed that the process will be reviewed. Fiona asked for a copy of the regulations to be provided to the Board for information.

Patrick Gibbons noted the update regarding the Chief Executive recruitment process and asked if the subject of Board Member appointments was discussed. Designated Officer advised that the Agency has been informed that it is expected that there will be movement on Board Member appointments before Christmas 2020. She added that the Chairman and the Board will be provided with an update from the NSMC in relation to the Chief Executive post when appropriate.

Allan Ewart asked if there was any update in relation to a replacement monitoring vessel at the NSMC Meeting. Designated Officer advised that this was not discussed, however the Agency has been advised that DAERA has commissioned a catamaran which is due to be delivered in December 2021. She added that the Director of Aquaculture and Shellfisheries continues to work on the options paper for a replacement vessel for the Agency.

Shared Island

Designated Officer advised that she attended an online speech by the Taoiseach on the 22nd October 2020, where he advised that the Irish Government is pursuing its goal of building consensus around a shared future, founded on the Good Friday Agreement.

Designated Officer advised that the Irish Government announced the Shared Island Fund as part of Budget 2021, with €500m to be made available over the next 5 years to 2025, ring-fenced for Shared Island projects. She added that viewers were also advised that the Irish Government is strongly committed to working with the Northern Ireland Executive, including North/South Bodies on new investment development opportunities in the North West and Border communities.

Designated Officer advised that the Agency welcomes this opportunity and also welcomes the views of Board Members in relation to same.

Patrick Gibbons advised that he and Fiona Walsh are also Board Members of Inland Fisheries Ireland (IFI), and given the shared responsibilities and objectives of both organisations it may be useful for the Designated Officer to meet with the newly appointed CEO of IFI to discuss a joined up approach on a way forward in regards to the Shared Island initiative.

Designated Officer agreed that there are many potential opportunities available to the Agency, however the structure of the Agency needs to be explored to further fully develop this potential.

Designated Officer provided the Board with an overview of a number of funding streams available to the Agency and detail of a potential project currently being investigated by the Agency.

Fiona Walsh advised that it would be most useful for the Board of Loughs Agency and the Board of IFI to work in cooperation. She added that both organisations share a lot of common problems and could therefore share common solutions.

Chairman advised that in the past the Boards of both organisations have met and suggested that it may be worthwhile to revisit this option. Patrick Gibbons echoed this proposal and advised that this meeting should be held in the first half of 2021.

Proposed Patrick Gibbons
Seconded Alastair Patterson

Heather Mackey welcomed this proposal. She added that there is a great PR opportunity for the Agency when working with IFI, Marine Institute or other cross cutting organisations.

Lough Foyle Series

Designated Officer wished to thank Joe Mahon for the excellent work that has been put into the production of the Lough Foyle series. She added that the beautiful scenery and footage of Agency staff engaged in environmental activities has showcased the Agency on a national level, which was noted by the NSMC.

Strategic Plan

Phil Mahon welcomed the digital copy of the Strategic Direction and congratulated the Agency on the production of same. Fiona Walsh echoed these sentiments and advised that the Plan looks very professional in its digital form.

Fiona suggested that going forward the Agency review a key theme from the Strategic Direction at each Board Meeting and report to the Board at a high level on its progress to date. She added that this will allow Board Members to measure the performance of the Agency.

Designated Officer agreed to this suggestion and advised that Minister Poots also congratulated the Agency on its Strategic Direction at the recent NSMC Meeting and asked that it be implemented and monitored going forward.

7. Finance Update

Board Members were provided with a Budget Report up to the end of September 2020 and a capital projects update, prior to the Board Meeting. There were no questions or comments in relation to same.

8. Risk Register Update

Board Members were provided with the individual Directors' Operational Risk Registers and overall Corporate Risk Register prior to the Board Meeting for information.

Patrick Gibbons advised that from reviewing the Operational Risk Registers he notes that the tracked amendments are minimal. He added that the Corporate Risk Register has changed quite substantially, however it has not been tracked therefore he is unaware of the changes that have been made. Patrick asked that going forward the Agency ensures that any changes made to the Risk Registers are tracked to enable the Board to view these changes at a glance.

Designated Officer advised that following the last Audit and Risk Committee Meeting she fully reviewed the Corporate Risk Register, which is now more succinct and high level, however as there were quite a number of changes she found it best to provide the Board with a clean version of the register. She added that going forward the Board will be provided with the tracked changed version.

Fiona Walsh welcomed the revised Corporate Risk Register however advised that she is concerned that the risk score of a number of residual risks does not decrease following the controls put in place by the Agency. Designated Officer advised that a number of risks within the Corporate Risk Register require quite a bit of work, therefore until this is complete the residual score will not reduce, for example, organisational capacity and capability.

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9. Performance Framework Update

Board Members were provided with copies of the Performance Framework templates as completed by Directors, prior to the Board Meeting for their information. There were no questions or comments in relation to same.

10. Audit and Risk Committee Update

Board Members were provided with the draft minutes of the Audit and Risk Committee Meeting of the 23rd September 2020 for their information.

Patrick Gibbons, Chairman of the Audit and Risk Committee provided Board Members with an overview of the meeting. Patrick advised that Committee Members again raised the issue of the lack of a Protection Plan. He added that this was requested in November 2019 when the Director of Conservation and Protection attended an Audit and Risk

Committee Meeting, however although a first draft was provided, an agreed Plan remains outstanding. Patrick advised that this request was supported by Sponsor Departments therefore it is hoped that this will be presented to the Audit and Risk Committee in November 2020, with a view to it being recommended to the Board at its last meeting of 2020.

Patrick advised that the Designated Officer provided Committee Members with an overview of the McCloud and Sargeant ruling and the effects this may pose for the Agency. He added that the 2019 Financial Statements are delayed as the Agency awaits wording from the pension’s administrator in relation to the contingent liability.

11. External Funding Update

The Board was provided with an update on the SeaMonitor, CatchmentCARE and SWELL projects prior to the meeting for information. There were no questions or comments in relation to same.

12. Press Releases

Board Members were advised that there have been no press releases from the Agency since the previous Board Meeting.

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13. AOB

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14. Date and Venue of Next Meeting

The next meeting of the Board will be held on Friday 18th December 2020. Time and venue to be agreed based on most up to date COVID-19 guidance.

Item No	Action	Responsible	Expected Delivery Date
6	Provide Board Members with emergency regulations.	Designated Officer	18.12.2020
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