

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

**Tuesday 23<sup>rd</sup> February 2021 at 9.30am**

**Via Teleconference**

**Attendees**

**Present**

Laurence Arbuckle (Chairman)  
Fiona Walsh  
Heather Mackey  
Ian McCrea  
Michael McCormick  
Patrick Gibbons  
Phil Mahon

**In Attendance - Loughs Agency**

Sharon McMahan – Designated Officer  
John McCartney – Director of Conservation and Protection  
Laura McCready (Minutes)  
Ciara McGinley (Minutes)

Private Time for Board Members

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

Chairman welcomed everyone to the first Board Meeting of 2021 and his first Board Meeting following his reappointment in December 2020. Chairman passed on his best wishes to Terry McWilliams who was also reappointed to the Board.

**1. Apologies**

Andrew Duncan (Vice Chairman)  
Alastair Patterson  
Allan Ewart  
Terry McWilliams

**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 Ian McCrea  
Seconded Patrick Gibbons

### **4. Reserved Minutes**

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

Proposed Ian McCrea  
Seconded Patrick Gibbons

### **5. Matters Arising**

#### Review of Communications

Designated Officer advised the Board that the above review is now underway. She added that she has discussed the terms of the review with Heather Mackey as the Board representative, and confirmed that the communications company will be in contact with Heather in the coming days.

#### 2020 Business Plan

Designated Officer advised that the Agency has not yet received approval from its Sponsor Departments in relation to the 2021 Business Plan. She added that the next Accountability / Governance Meeting is scheduled to take place on the 10<sup>th</sup> March 2021 where the Plan will be discussed.

#### Meenbog

Designated Officer advised that Meenbog has been placed on the Board Meeting agenda as requested by the Board. She added that John McCartney, Director of Conservation and Protection will join the meeting when appropriate to provide the Board with an update.

#### Corporate Risk Register

Designated Officer advised that she reviewed the above as requested by the Board, however felt that the Meenbog incident was not a standalone risk for the Agency, more so an incident that is being dealt with by the Agency.

Chairman suggested that the Agency consider a strategic risk in relation to renewable energy. Designated confirmed that she will consider this.

## **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

Designated Officer advised the Board that the Agency continues to implement government guidelines throughout its workforce. She confirmed that the Agency has had 1 case of COVID-19, however the member of staff in question was working from home and did not have contact with any other member of staff.

Fiona expressed her gratitude towards the Agency's Fisheries Protection staff who have continued to work throughout the COVID-19 pandemic.

### Recruitment

Designated Officer advised that interviews for the Agency's Head of Science post are scheduled to take place on the 26<sup>th</sup> February 2021.

### Agriculture, Environment and Rural Affairs (AERA) Committee

Designated Officer advised that Loughs Agency was invited to attend an AERA Committee Meeting on the 21<sup>st</sup> January 2021. She added that John McCartney, Director of Conservation and Protection and JP O'Doherty, Interim Director of Corporate Services represented the Agency at this meeting, which can be viewed on the Stormont channel.

### Stakeholder Engagement

Designated Officer advised that the Agency recently met with the Ulster Angling Federation as part of its scheduled engagements for 2021. She added that the Agency will also meet with Faughan Anglers Limited in the coming weeks and will continue with its commitment to liaising with angling clubs and governing bodies throughout 2021.

### Court Cases

Prior to the Board Meeting Board Members were provided with an overview of the Agency's active court cases. Designated Officer provided the Board with an overview of 2 cases which require the appointment of Junior Counsel. She added that following a direction from the Board it was agreed that the appointment of Junior Counsel will be approved by the Board as this is a matter reserved for the Board.

Board Members agreed with the recommendation and approved the appointment of Junior Counsel for the 2 cases brought before them.

### Meeting with the Taoiseach

Designated Officer advised that she and the Chairman attended an engagement with the Taoiseach and the other cross border bodies on 19<sup>th</sup> February 2021. She added that it was a very engaging event where the Taoiseach talked confidently about the work of the Agency and the other cross border bodies. Chairman agreed and added that it was a very affable event.

Designated Officer advised that she highlighted an issue for the Agency in relation to the SeaMonitor Project foreshore licence, however added that following the meeting this matter has been rectified.

### Establishment Licence

Designated Officer advised that the Agency has submitted an application for an Establishment Licence under the Animal (Scientific Procedures) Act 1986 (March 2014) to allow the Agency to tag fish as part of the SeaMonitor Project. She added that staff have been appointed and trained to fulfil certain roles as required under the legislation before the licence can be granted.

### Board Effectiveness

Designated Officer advised that under the Code of Practice for the Governance of State Bodies, the Agency is required to undertake a review of Board effectiveness. She added that the Agency is currently reviewing a Terms of Reference for the review which she will forward to the Chairman once agreed.

Designated Officer provided the Board with an overview of the 3 options available. Fiona Walsh advised that she is content with the standard option, however asked that the Agency commit to a more

detailed review in the future to ensure continuous improvement. Fiona added that she has undertaken this in the past and has found it very helpful.

## **7. Finance Update**

Prior to the Board Meeting Board Members were provided with a Budget Report up to the end of December 2020. Designated Officer advised the Board that, as in 2020 the Agency does not have enough resource budget in 2021. She added that a meeting has been scheduled with both Sponsor Departments to discuss this issue.

Fiona Walsh advised that from the Budget Report it seems that the Agency had a surplus of £41,000 at year end. Designated Officer advised that the Agency's management accounts are prepared on an accruals basis and not a cash basis. She added that the Agency did however carry capital budget into 2021, as detailed in the Budget Report.

Chairman advised that the Budget Report is quite lengthy and asked if there is a way that the report can be simplified. Designated Officer advised that she will take this point on board going forward.

## **8. Risk Register Update**

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

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In relation to CR6 – failure to protect the fisheries, Fiona Walsh asked that the Agency establish if a further protocol can be agreed to try to prevent further disasters occurring e.g. Meenbog to ensure that the Agency is being as proactive as possible.

## **9. Performance Framework Update**

Prior to the Board Meeting Board Members were provided with copies of the Performance Framework templates as completed by Directors, for their information.

Designated Officer advised that she has discussed the next stage of this process with the Chairman of the Board. She added that she has developed a balance scorecard which she will discuss further with the Chairman before issuing to the Board. Designated Officer advised that the balance scorecard clearly demonstrates how the Agency is performing in terms of its strategic priorities, which is an area that Fiona Walsh has highlighted in the past.

Fiona advised that she is pleased that the Agency is engaging in the next stage of the performance framework process. She added that this will also be a useful tool to measure performance and under performance.

Designated Officer advised that the Agency has committed to further advance its performance appraisal system which was delayed due to COVID-19 and staff working from home.

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

Prior to the Board Meeting Board Members were provided with the minutes of the last Audit and Risk Committee Meeting which took place on 3<sup>rd</sup> December 2020. Patrick Gibbons, Chairman of the Audit and Risk Committee advised that he provided the Board with an overview of the December Audit and Risk Committee Meeting at the previous Board Meeting. Patrick asked if there were any comments or questions in relation to the minutes. There were no questions / comments from Board Members.

## **11. External Funding Update**

Prior to the Board Meeting Board Members were provided with an update on the SeaMonitor, CatchmentCARE and SWELL projects for their information.

Phil Mahon noted the excellent work being carried out by the staff of the SeaMonitor and CatchmentCARE projects. She added that it is clear from the reports provided that the staff of both projects are very enthusiastic and committed to the projects.

Designated Officer agreed with Phil's statement. She advised that staff of the SeaMonitor Project are currently working on a data management plan for the Agency as well as taking SeaMonitor beyond the life of the project.

Michael McCormick advised that he has had contact with the SeaMonitor Senior Scientific Officer who is a very impressive member of staff.

## **12. Press Releases**

Prior to the Board Meeting Board Members were provided with a copy of press releases published since the previous Board Meeting and a copy of recent press clippings from the media in relation to the Agency for their information.

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## **13. Meenbog Update**

At the previous Board Meeting Board Members asked that Meenbog be placed on the agenda for future Board Meetings. John McCartney, Director of Conservation and Protection joined the Board Meeting to provide Board Members with an update.

RESERVED

## **14. AOB**

### COVID-19

Heather Mackey asked if there has been any further update in relation to staff returning to their base. Designated Officer advised that the Senior Management Team continue to meet on a regular basis to discuss the current government restrictions and a pathway back to the office, however under the current guidelines this may be some time away.

Designated Officer advised that during the past 6 months the Agency has been carrying out renovations to its Headquarters, which will include extra office space and a Board room facility. She added that when capital works are complete the Agency will have Board room facilities in Headquarters, Omagh and Carlingford.

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## 15. Date and Venue of Next Meeting

The next Board Meeting will take place on 20<sup>th</sup> April 2021. Venue to be considered in line with COVID-19 restrictions.

<b>Item No</b>	<b>Action</b>	<b>Responsible</b>	<b>Expected Delivery Date</b>
5	Consider renewable energy risk when reviewing the Corporate Risk Register.	Designated Officer	ASAP
6	Provide Chairman with Terms of Reference for Board Effectiveness review.	Designated Officer	ASAP
7	Establish if a simplified version of the Budget Report can be made available to Board Members.	Designated Officer	ASAP
8	RESERVED	Designated Officer	ASAP
8	Establish if a further protocol can be agreed to try to prevent further disasters occurring and ensure that the Agency is being as proactive as possible.	Designated Officer	ASAP
12	RESERVED	Designated Officer	ASAP
12	RESERVED	Designated Officer	ASAP
13	RESERVED	Ciara McGinley	20.04.2021