AQUACULTURE LICENCES APPEALS BOARD

BOARD MEETING 20.08

Virtual @ 9.30 6

August 2020

Minutes

- **Present:** Imelda Reynolds (Chairperson), John Evans, Micheál Ó Cinnéide, Michael Mulloy, Bill Sweeney, John Ward.
- Apologies: Michael Sweeney
- In attendance: Mary O'Hara (Board Secretary of ALAB), Margaret Brennan (ALAB), Ciara Murphy (ALAB), Eoin Cussen, ECO Eireann (Items 12 & 13) and Nick Pfeiffer, MERC Environmental Ltd (Item 5)

20.08.01 Conflicts of Interest/Section 31 Declarations

All Board members confirmed that they had no conflict of interest in any of the appeals before the Board for consideration at the meeting. The Chair noted her conflict in relation to the OGP legal services procurement on the basis of her involvement with Beauchamps Solicitors, who are on the OGP Panel.

The Board members and administrative staff confirmed that no communications had been received by any of them for the purposes of seeking to improperly influence the consideration by the Board of any appeals or decisions before the Board at this meeting, in breach of Section 31 of the Act.

20.08.05 AP2/1-14/2015 - Shot Head, Bantry Bay, Co Cork (to be determined by 31 August 2020)

Nick Pfeiffer, MERC Environmental Ltd joined the meeting to relay his observations on the updated Natura Impact Statement as submitted by MOWI on 7 July 2020 following the Section 47 letter issued by ALAB on 11 June 2020. The Board agreed with Nick Pfeiffer that he should address any issue or anomaly in the NIS in the final draft of his report for the Board to support its Appropriate Assessment. Once all issues are examined and mentioned in the report the Board have agreed they will be prepared to consider making its determination on the AA and in advance of same to consider whether it will engage in further consultation.

The Board noted the email received from Graham Saunders 22 July 2020. The Secretary explained to the Board that Graham is now in the final stages of incorporating all updated information and comments into his final updated and revised draft technical report. Some statistical information may require updating which is a consequence of the time that has passed since the original interim technical advisor report was prepared. The Secretary has provided links to the requested information regarding sea lice infestation risks and lice treatments for Bantry Bay provided by the Marine Institute as requested by Graham Saunders. He also requested further up to date information on tonnage, and the Secretary had directed him to the BIM website.

The Board reviewed the timescale for the appeals and agreed it would not be in position to determine the appeals by 31 August 2020 due to the possibility of public participation consideration which would be by way of section 46 notices. The Board agreed to extend the time within which it would seek to determine the appeals to 31 December 2020 and asked the Secretary to notify the parties in accordance with Section 56(3) of the 1997 Act.

The Board noted the replies received to the S47

The Board agreed it will, in due course, convene a special meeting to continue

consideration of this appeal. The Board agreed that it will be appropriate to have the benefit of a legal advisor present at that meeting to clarify any legal issues which may arise for the Board.

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The Board noted the		
The Board noted the draft Determination and Notification, documenting the Board's determ meeting, would be circulated for review and approval. The Board noted a revised site plan for		
will in turn be included with the Licence which ALAB will issue when the plan is available.		
AP 19, 21, 22/2019		
The Board		
The papers for the meeting included the draft determinations, notifications and licences		
<u>AP23/2019</u>		
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The papers for the meeting included the draft determinations and notifications. These were a		ed by
the Board and would now be signed and issued and the ALAB website would then be updated AP54 & AP55 & AP56/2019	8	

time for determining the appeal was extended until 31 December 20	20 and the Board does not

expect to make any substantive decision prior to 8th September 2020. Wm Fry was asked to send a copy of th proceedings and any directions/orders made to the Secretary for the Board's attention. The Secretary was authorise

noted that the risk register had been considered at Audit & Risk Committee meeting in June. The
Chairperson asked the Secretary to circulate the minutes of each A&R committee meeting to all Board members
ensuring good governance procedures.
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A letter has been prepared to send to DAFM seeking authority for derogations as proposed in the
Reard Solf According to
Board Self-Assessment
At its province mosting the Roard agreed to complicate a third portune and states as subsympt various of the Roard
At its previous meeting the Board agreed to commission a third party to undertake an external review of the Board.
Procuring an appropriate person to undertake the review is still in progress.
Skills Matrix
The Board noted that the updated ALAB Skills Matrix is now uploaded to the Decision Time Library.
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Dated the 10 day of September 2020

Welden Reynolds

Imelda Reynolds CHAIRPERSON