**MINUTES OF DEPARTMENTAL BOARD (DB) MEETING**

**HELD ON WEDNESDAY 31 MAY 2017 IN ROOM 229 DUNDONALD HOUSE**

**Members:**

Noel Lavery Permanent Secretary

David Small Deputy Secretary, Environment, Marine and Fisheries Group

Robert Huey Deputy Secretary, Veterinary Service and Animal Health Group

Norman Fulton Deputy Secretary, Food and Farming Group

Geraldine Fee Director of Corporate Services

David Reid Director of Finance

Janine Fullerton HR Director, NICS HR

David Russell Independent Board Member

**In attendance:**

Graeme Wilkinson Director of Brexit Programme (Item 3 only)

Paul Caskie Chief Agricultural Economist (Item 6 only)

**Apologies:**

Colin Lewis Deputy Secretary, Central Services and Rural Affairs Group

**Minutes**

Lynda Lowe Board Secretariat

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| **Item** | **Description** | **Action Owner** |
| **1.0** | **Departmental Update** |  |
| 1.1 | Noel provided an update to the Board and advised that a number of items were to be raised at the meeting for decision/to note in the absence of a Minister.  Norman provided an update on the AFBI Review, advising that the first meeting of the Project Board was on 8 June and intention was to provide a report in six months. A general discussion on AFBI quality of service followed. |  |
| **2.0** | **Standing Items** |  |
| **2.1** | **Conflict of Interest** |  |
|  | David Small advised that his son would continue to be employed by Outdoor Recreation for a further four months.  No other conflicts were declared. |  |
| **2.2** | **Minutes and Actions Arising from DB Meeting on 26 April** |  |
|  | The Minutes of the April DB meeting were agreed.  The Actions Arising were cleared. DB Members noted that Paul Caskie would present the paper on LFACA Debts at the July DB meeting. |  |
| **3.0** | **Brexit Update** |  |
|  | Graeme Wilkinson joined the meeting, presented his paper and provided a summary of his recent meetings with the BCC, DEXU and RoI and forthcoming meetings. He highlighted the Devolved Agriculture Ministers meeting scheduled for 21 June.  Graeme advised a series of staff engagement events and workshops were planned for the summer and the Board commented on the extremely successful Brexit seminar at Balmoral.  Members discussed the anticipated timeframe for Agriculture Policy Formulation and the associated transition periods. Members noted that from 2019/20, European Funds would be replaced by UK DEL. |  |
| **4.0** | **Matters for DB attention in the absence of a Minister** |  |
| **4.1** | **Civil Sanctions for Remediation of Land in the Mobuoy Road Case** |  |
|  | David Small provided an overview of his paper and advised that in the absence of a Minister, DB approval was being sought to the potential use of Civil Proceedings and any associated instructions to DSO and Counsel.  It was agreed that David would provide Members with further information on the implications for civil proceedings of a successful criminal case and, in particular, the rationale for a Mareva injunction if assets had already been secured under the Proceeds of Crime Act (POCA) and the timing issues regarding pursuit of remedy via a civil case. | **David Small** |
| **4.2** | **Low Severity Pollution Incidents** |  |
|  | David Small outlined his proposals for a pilot process for low level pollution incidents reported. He advised that the pilot would be for 12 months and that he would be engaging and communicating with anglers and NGOs.  The Board agreed his proposal. |  |
| **4.3** | **Prosperity Agreements** |  |
|  | David Small outlined the issues surrounding two prosperity agreements, which encourage the companies to do more from an environmental perspective. He indicated that the CEOs of both companies were very keen to sign the agreements to allow the associated benefits to be delivered. Given political uncertainty, David proposed that the 2 agreements should be signed by the respective Chief Executives. When Ministers were appointed, opportunities for media involvement would be sought.  The Board agreed this proposal. |  |
| **4.4** | **Environmental Impact Assessment (Agricultural) Regulations** |  |
|  | David Small reported to the Board that a decision had been taken to proceed with a 4-week consultation given the urgency associated with the transition.  The Board noted the position. |  |
| **4.5** | **Review of Decisions Consultation** |  |
|  | Norman Fulton provided an overview of his paper seeking DB approval to allow a consultation on Proposed Changes to DAERA Area Based Schemes Review of Decisions Process 2017. He advised that DB approval would allow a consultation to commence and avoid undue delay with the 2017 Review of Decisions process.  The Board agreed to the commencement of the consultation process after the General Election. |  |
| **4.6** | **Agri-Food Strategy Board Extension of Appointments** |  |
|  | Norman Fulton provided the Board with background information on the nature of these non-Regulated Board appointments and the current decision on extensions to be taken jointly by the Permanent Secretary of DAERA and DfE.  Following discussion, it was agreed that the appointments should be extended by no more than three months i.e. to the end of August 2017. This short extension would leave open decisions on the Board’s future for any incoming Minister,. |  |
| **4.7** | **DAERA Equality Scheme** |  |
|  | Geraldine Fee introduced her paper and advised that following approval, the Scheme would be forwarded to the Equality Commission and a Communication Plan was in place.  Members were content to agree the publication of the Scheme, subject to some minor amendments and confirmation of the position on Consultation periods. |  |
| **5.0** | **CAP Reform Programme Report** |  |
| 5.1 | David Small introduced the Progress Report and Board Members discussed:  Food Processing Grant (Agri food Processing Investment Scheme) and FBIS Co-operation Scheme: It was agreed that Ministerial approval was required before announcing the launch of these Schemes;  FBIS Innovation and Technology Scheme: Members noted the Business Case should be with DoF in June;  Rural Tourism and Environmental Farming Scheme: current positions noted;  ICT: the current position was noted. Members were advised that 99.5% of Basic Payment Scheme and 100% of EFS applications were submitted on-line. |  |
| **6.0** | **DAERA Knowledge Framework** |  |
| 6.1 | Paul Caskie joined the meeting and provided Members with an update on the development of the DAERA Knowledge Framework.  The Board considered the proposed responses to the consultation and agreed Paul would revisit the Equine response to ensure that targets within the 2017/18 Business Plan were not compromised. The paper consequently was not agreed.  Paul was also to engage further with the College Advisory Group.  The Board agreed Ministerial approval would be required before the Framework could be finalised. | **Paul Caskie** |
| **7.0** | **Staffing Update** |  |
| 7.1 | Janine Fullerton presented her paper. The Board agreed that there needed to be very significant improvement in all HR compliance targets. It was also noted that a project was to be brought forward with a view to producing a new level of Board reports. |  |
| **8.0** | **NIEA Business Plan** |  |
| 8.1 | David Small introduced and Members discussed the NIEA Business Plan.  The Board noted the Indicative Budget within the Plan and agreed the Plan in principle, subject to a number of amendments to be taken forward by David Small. | **David Small** |
| **9.0** | **NIEA Board Minutes** |  |
| 9.1 | The Board noted the paper. |  |
| **10.0** | **DB Forward Agenda** |  |
| 10.1 | Members agreed:   * the 28th June meeting would be rescheduled to 5th July; * the proposed re-formatted Agenda for that meeting, subject to amendments; and * the draft Forward Agenda July 2017 to March 2018. |  |
| **11.0** | **2016/17 and 2017/18 Budget Position** |  |
| 11.1 | David Reid confirmed the 2016/17 Provisional Outturn position and Members discussed the current position regarding accounting for CAP Disallowance.  David Reid outlined the bids submitted to DoF in response to their 2018-21 Budget exercise. |  |
| **12.0** | **2016/17 Business Plan Outturn Report (including ALBs)** |  |
| 12.1 | The Board discussed next steps in communication of the Departments performance in the absence of an Executive.  It was agreed Grade 3s would consider internal communications within their Groups and that Geraldine Fee would discuss further options with Ronan Henry. It was also agreed that Colin Lewis and David Reid would discuss external communications with Ronan Henry | **Grade 3s**  **Colin Lewis/**  **Geraldine Fee/**  **David Reid** |
| **13.0** | **ARAC Report** |  |
| 13.1 | The Board noted the paper. |  |
| **14.0** | **NIFAIS Report** |  |
| 14.1 | Robert Huey provided an overview of the current position ahead of the forthcoming Gateway Review and confirmed that Members would not be required for interview as part of the Review. |  |
| **15.0** | **Ballykelly Relocation Programme** |  |
| 15.1 | Geraldine Fee provided an overview of the current position. Members discussed the use of technology and communications and it was agreed Geraldine would arrange for the Relocation Team to meet with each of the Grade 3s.  It was also agreed that Noel would write to SIB regarding DAERA accommodation. | **Geraldine Fee** |
| **16.0** | **Internal Communications Messages for Team Brief** |  |
| 16.1 | Items agreed were:   * Board decisions taken in the absence of a Minister on Review of Decisions and the Equality Scheme; * Brexit Update; * NIEA Business Plan |  |
| **17.0** | **AOB** |  |
| 17.1 | Members noted that the decision on the Marshall case has been communicated to Mr Marshall. |  |
|  | Close |  |