



An Roinn Ealaíon, Oidhreachta agus Gaeltachta
Department of Arts, Heritage and the Gaeltacht

Oifig an Ard-Rúnaí
Office of the Secretary General

PAC-R-282

Correspondence 3.4
Meeting – 09/02/2012



30 January 2012

Ms Eimear Lavelle
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin 2

Dear Ms Lavelle,

I refer further to your letter of 25th November 2011 regarding correspondence relating to the Foynes Aviation and Maritime Museum Limited, which was received by the Public Accounts Committee and which has been forwarded to me for attention.

The complaints made to the Chairman of the Public Accounts Committee by Bernard P Cunnane and Co, Solicitors, on behalf of Mr Patrick Cunnane, shareholder of Foynes Aviation and Maritime Museum Ltd, regarding the refusal by the museum company to disclose management accounts and furnish other additional information to the public, have been raised by this Department with the Foynes Museum. The Department has been given to understand that the complainant has pursued a number of issues with the Foynes Museum Ltd over a period of years.

Background

The Foynes Museum is a not-for-profit charitable institution dedicated to the pioneering days of aviation and passenger travel across the North Atlantic and the maritime history of the port of Foynes. The Museum, which is housed in the original terminal building, is the only aviation museum in Ireland and commemorates the era of the first transatlantic flights from the USA to Europe, which landed in Foynes. The Museum houses a full-scale replica of a Pan Am Boeing 314 flying boat, the *Yankee Clipper*. The Museum attracted over 31,000 visitors in 2010.

The Museum is operated by a Board of Directors, which, until recently, included an official from this Department. This official sat on the Board for a number of years but unfortunately passed away in October 2011. The current membership of the Board is as follows:

Mr Brian Cullen, (Chairman) Pilot & Businessman, Killaloe, Co Clare.
Ms Margaret O'Shaughnessy, (Company Secretary) Founding Director, Foynes, Co Limerick.
Mr Pat Daly, Marketing Executive, Shannon Development Company, Shannon, Co Clare.
Ms Josephine Cotter Coughlan, Director, Community & Enterprise, Limerick County Council, Dooradoyle, Limerick.
Mr Michael J Noonan, Former Government Minister, Businessman, Bruff, Co Clare.
Mr Gerry Humphreys, Pilot, Proprietor of Aviation Company, Farmer, Brittas, Co Limerick.

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Mr P J McGoldrick, Pilot, Former CEO Ryanair, Former Airline Operator, Aviation Consultant.
Ballina, Killaloe, Co Clare.

Fr Tomás Ó Caoimh, former member of Heritage Council, Tralee, Co Kerry.

Mr Plunkett Hayes, Solicitor, Revenue Sheriff, Former Proprietor of Croom Mills Visitor Centre,
Croom, Co Limerick.

Mr Robin Wilson, CEO Groen Brothers, Aircraft Manufacturers and Designers, Seattle, USA.

Ms Bernadette Whelan, Head of Department of History, University of Limerick, Limerick.

Funding

The Department provides an annual allocation from the B4 Subhead of its Vote – *Regional Museums, Galleries, Cultural Centres and Projects* - to the Museum. Funding provided under this Subhead meets a specific cultural need and supports the high level goal of the Department *"to enhance access to and recognise the social and economic role of arts and culture by promoting and encouraging artistic expression, cultural awareness and participation through an appropriate policy, legislative and resource framework"*. The Foynes Museum meets the criteria of the category of the fund aimed at *"the preservation of collections of moveable cultural heritage of national importance, or collections that are unique in the country and relate to matters of national interest, or that relate to international culture; and accessibility to these collections by the public"*.

The allocations provided in recent years are as follows:

Year	2008	2009	2010	2011	2012
Amount	€150,000	€100,000	€100,000	€110,000	€110,000

Complaints

The attached Appendix sets out the Museum's response to each of the claims that have been made together, with the comments of this Department.

I trust that the information provided addresses the matters raised in the correspondence to the Committee but please revert to me should the Committee require any further information.

The delay in responding is regretted.

Yours sincerely,



Joe Hamill
Secretary General

Complaints made to the Chairman of the Public Accounts Committee by Bernard P Cunnane and Co, Solicitors, on behalf of Patrick Cunnane, regarding the refusal by the museum company to disclose management accounts and furnish other additional information to the public

(a) Complaint:

"about the manner in which the museum is failing in its moral duty to make available, not only to its shareholders but also to members of the public, a full detailed set of annual accounts detailing in a transparent way how the taxpayers' money is being spent"

Response of Museum:

"The Museum is a not for profit company limited by shares. Accounts for the Museum are audited yearly and returned to the Companies Office. We are fully compliant with all statutory obligations. Audited accounts are also made available at our AGM each year.

Comment of Department:

The Department receives on an annual basis a copy of independently audited Annual Accounts for the Museum, which are reviewed. The Department is satisfied that the Museum is complying with its statutory obligations in this regard. A copy of the most recent Annual Accounts received by the Department is attached for the information of the Committee.

(b) Complaint:

"At this year's AGM it was stated that a brother of one of the directors, who operates a hackney and taxi service was paid in excess of €12,000 for taxi services for the museum. We do not know how the museum would need taxi services, but in any event the writer herein subsequently wrote asking as to what tendering and/or procurement measures were adopted by the museum in selecting a taxi service. It is stated in the accounts that all proper procurement and tender requirements complied with. However, when the writer herein requested evidence of this compliance, none to date has been forthcoming. ... It is known that the provider of the hackney and taxi services is a brother of the curator, Margaret O'Shaughnessy."

Response of Museum:

"The Museum has never utilised taxi services. The item referred to in the accounts was a new initiative between the Foynes Flying Boat Museum and the Hunt Museum. This initiative provided a service for tourists to visit both Museums and travel by bus between Limerick and Foynes on one inclusive ticket which could be purchased at both Museums and Limerick Tourist Office. This was part funded by your Department under the 2010 scheme to assist local and regional museums. The bus service was tendered to four different companies and the lowest one was given the contract."

Comment of Department:

The Department established a Local/Regional Museums Programme in 2007 to facilitate funding of county and regional museums participating in the Heritage Council's Standards and Accreditation Scheme. In 2010 the Foynes Aviation and Maritime

Museum Ltd applied for funding under this Scheme to provide a transport link between the Museum in Foynes and the Hunt Museum in Limerick City. Under this scheme it was proposed to run an 18-seater minibus once a day from the Hunt Museum in Limerick to the Museum in Foynes. The idea was to have one ticket, which would include the entrance fee to both Museums and the return journey on the bus.

The Museum's application for funding was approved and an amount of €15,000 was allocated to the Museum under the scheme. An amount of €14,271.60 was paid to the Museum under the scheme following the submission of the relevant invoices and Tax Clearance Certificate. The Museum used the services of the "Estuary Mini Bus & Cab Hire Ltd" to provide transport between the two Museums and a total amount of €12,450 was paid to the company in respect of a total of 83 round trips at a cost of €150 per trip. Mr Pat Stack is a director of this company and is Ms Margaret O'Shaughnessy's brother.

The Museum tendered for this service and it is understood that the tendering process was handled completely by the Museum's Office Manager, Ms Caroline Diffley. The Department understands that the Director of the Museum did not participate in this process and there is nothing to indicate that it was not carried out correctly.

The Hunt Museum was not involved in the tendering process as it was the Foynes Museum that applied for, and was granted, funding for this project. The Hunt Museum did, however, participate in and promote the scheme.

The Department has been advised that tenders issued to the following bus operators:

Carrig Coaches, Clarina, Co Limerick	(Tender was for €180 per day)
Hynan Coach Services, Cappamore, Co Limerick.	(Tender was for €195 per day)
Coach House Travel, Newcastle West, Co Limerick	(Tender quote was for €250 per day)
Estuary Mini Bus & Cab Hire Ltd, Foynes, Co Limerick.	(Tender quote was €150 per day)

The Department understands that the contract was awarded to Estuary Mini Bus & Cab Hire Ltd on the basis that they submitted the lowest tender.

(c) **Complaint:**

"The curator's husband works at the museum and is probably in receipt of some income, and details of this should be disclosed (if such is the case)."

Response of Museum:

"Tom O'Shaughnessy, husband of the Curator, does voluntary work at the Museum and has done so since its establishment in 1989. He is not and has never been on the payroll and is not in receipt of wages."

Comment of Department:

The Annual Accounts of the Museum, as submitted to the Department, itemises the salary of the Director and provides a total figure for all other staffing costs which are not listed

individually. The auditors for the Museum have confirmed that Mr Tom O'Shaughenssy is not on the payroll of the Museum.