

Ness District Salmon Fisheries Board

**Minutes of Board Meeting
held 2.00 pm on Monday 18th April 2011
at Ness Castle Lodges, Inverness**

In Attendance:

Andrew Duncan, Ness Castle, Chairman (ARD)
Willie Armstrong, Oich, Mandate (WA)
Neil Cameron, Ness and Beaully Fisheries Trust, Co-option (NC)
Annie Girvan, Invermoriston, Mandate (AG)
Don MacKay, Angling Club, Mandate (DMK)
John MacColl, Bailiff, observer (JM)
Angus MacGruer, Co-option, (AMcG)
Graham MacKenzie, Co-option (GMK)
Bob Morgan, Garry (BM) representing Paul Williamson
Sandy Patience, Netsmen co-option (SP)
Ryan Rutherford, Ness-side, mandate (RR)
Keith Williams, Ness and Beaully Fisheries Trust, Observer (KW)
Rod Andean, Clerk (RA)

Apologies:

Alastair Stephen, S&SE (AS)
Ben Leyshon SNH (BL)
Michael Martin, BPT, Mandate (MM)

ARD welcomed all to the meeting noting LMM is in attendance to take minutes and welcomed Angus MacGruer to his first meeting.

ARD asked that all remarks be addressed through the Chair.

Minutes of Last Meeting

ARD apologised for the lateness of the minutes which was due to time constraints on the Clerk. No comments or amendments required therefore the minutes were approved.

Matters Arising

SP raised the issue of Dougie MacDougal who has as yet not been contacted. The matter was discussed and it was agreed that the Clerk would print a copy of the 2003 Act which is the constitution and send it to him.

SP agreed to pass ARD's number to Dougie in order the he may contact ARD if he feels necessary.

4. Clerk and Clerk's Position To receive a verbal report from the Chairman on the situation with the present Clerk

ARD advised that a letter had been received from the Clerk pointing out that he worked for a fee earning firm and £26k costs had been written off in 2010 regarding work for the Board.

A meeting took place on Tuesday last whereby Nigel Fraser explained again a considerable sum of money had been lost regarding the Clerk's duties and the losses had now become unsustainable.

Consequently they would like to resign from being Clerks to the Board. Strutt and Parker confirmed they would be happy to provide an accountancy and secretarial service only and an outline quotation was given to ARD. This therefore will be the Clerk's last meeting.

5. To consider the Brief for a Chief Executive and, if thought fit, agree to the outline terms of appointment. (RA, JMcC and KW left for this and the next item.)

The item and the next were discussed by Members only. It was agreed consideration would be given going forward to Members only being present for Board issues.

The level of service from the Clerk was discussed and it was agreed that it was time to 'move on'.

Chief Executive position was discussed. A Job Specification was tabled and discussed with key duties outlined. NSC commented that this would be a combined role of Chief Executive and Clerk.

The key responsibilities of the role were noted by ARD as "liaison with Stakeholders" in order to assist facilitation of the Group's aims.

The position is 2.5 days per week working from home which was noted as very cost effective.

ARD opened the matter for discussion noting his recommendation to approve. Graeme MacKenzie asked how much and can the Group afford a Chief Executive. ARD responded that there is a small surplus within the budget therefore yes, it is affordable within the budget noting the Clerk's resignation and removal of a temporary Bailiff from the Budget.

NSC queried who would carry out secretarial and accounts support. ARD stated this would be discussed within the budget.

DM noted there were no hatchery costings within the budget. ARD said there would be no hatchery this year and perhaps not next year. BM expressed his delight at this.

AMcG requested an update on the Marine situation. Don Mackay gave a brief overview of the current position and asked that this be taken up within a further Agenda item.

DM asked for details of the outline terms of contract. ARD said this would be covered within the next Agenda Item.

DM noted secretarial and accounting duties become a responsibility of the Chief Executive. The Group agreed this would be the best option.

The Board has the right to appoint 'a person' as the Clerk therefore it was confirmed that the Chief Executive would act as Clerk in relation to legal matters.

Following discussion it was agreed that the Board were happy to go along the route of appointing a Chief Executive.

6. Subject to the decision at 5, to consider and, if thought fit, approve the appointment of Michael Martin as Chief Executive on terms to be agreed.

ARD noted Michael Martin would have to resign from the Board were he to be appointed and then opened the floor to discussion regarding MM being employed as Chief Executive under the following terms: -

- The Board employ MM as a consultant
- A maximum of 2.5 days per week
- Contract term initially 6 months, no longer than 12
- Day rate set at market rate for a Chief Executive which breaks down to some £7,500 per annum per day plus VAT

VAT registration to be again considered.

DM noted the rate should be capped at 2.5 days as a maximum and this was agreed by the Board.

GM hoped the Chief Executive role would mitigate excessive hours being spent by the Bailiff on paperwork.

NC noted Trust involvement will not change greatly, however if MM was appointed as Chief Executive there would be greater follow up on issues.

The Board agreed MM be appointed as Chief Executive. ARD requested NC and WA join a sub committee to discuss the finer detail of the position. WA declined and GM was substituted.

7. To approve the Business Plan and Budget for 2011 / 2012

ARD explained the structure of the Business Plan and opened the floor for discussion.

BM requested clarification / comments on the undernoted items: -

- Item 2. ARD noted this Item was inserted in order to promote catch and release and mitigate the killing of fish.
- Item 4 – Management of BWB extraction of water from the system. ARD noted this would be an area for the Chief Executive to investigate.
- Item 6 – BM suggested the words ‘present and’ were inserted before future.
- Item 3 be deleted in its entirety. ARD rejected this request noting the Board’s strategy on this issue. SP noted he was pleased that BM’s request was rejected.

DM reminded the Board that on Item 1 Inverness Angling Club have a written agreement with the Board which doesn’t end until 2014.

Item 5 regarding fish farms was discussed, it was agreed to leave in the document meantime noting difficulties with actually achieving it in the short term.

DM requested a copy of the Report referred to in Item 4. ARD noted the report will be circulated once the sub committee has completed its deliberations.

Budget

Cost savings had been made by the Clerk on insurances and telephone. Total expenditure at £160k is only £10k more than 2009.

ARD noted that there was extra income received from the revised assessments. The Summer Bailiff salary and Clerk’s cost have been removed and Chief Executive’s cost added in. Most other costs are in line.

ARD noted a contingency of £3,500 and a surplus of £4,000 was provided.

BM asked where smoked salmon exchange costs are recorded. ARD confirmed this was within Bailiff Other Costs noting approximately 110 / 114 sides of salmon were handed out. The cost for salmon sides was very low.

ARD proposed the budget for approval and Board Members agreed and approved the Budget for 2012.

The bailiff’s were discussed and there was some concern voiced regarding the loss of the additional summer bailiff. It was agreed that the additionally trained Bailiff’s commitment would be minimal and as an assist rather than a major time commitment.

CAPEX Issues

- Toyota Pickup requires replacement, John has identified a newer Toyota pickup at £9,750. ARD asked for Board approval to purchase a replacement vehicle. It was suggested that a local vehicle would be preferable noting the possibility of purchasing a vehicle from Ness Castle. ARD undertook to revert to the Board on this issue.

It was agreed in principle by the Board to purchase a vehicle up to the value of £12,000. ARD proposed trading in the two Fiesta Vans for an Astra Van. It was agreed to produce a formal report to the next Board.

- The bailiff's sub committee had also considered, once clarification on the situation with the common boat is obtained, a Rib, Engine and Trailer but it was also agreed that this will be discussed at the next meeting. In relation to the Conon boat the Board discussed the current arrangement which was agreed as unsatisfactory.

- Purchase of a Container – ARD declared an interest. The purchase price is £1,000 plus VAT against the current rental price of £950 pa. The Board agreed to this purchase.

- Purchase of Turfer – this was agreed along with sundry other items at an allowance of £1,000.

8. To receive verbal reports from sub-committees

a) Upper System – In MM's absence ARD noted the committee had met once since the last meeting. It had also had a very good meeting with S&SE. Dialogue continues on this subject and it was noted that it has important work be carried out this year.

b) Website – Ryan noted that there had been no report received from PW. A verbal report was given regarding the system. 100% complete with content management system. Input required from the Board regarding the pages. Ryan to contact the Board members individually to ingather content.

c) Bailiffs – Met twice since last meeting. A final report will be produced for the next meeting.

9. Trust Biologists Report

The Report was tabled and its contents noted. Keith added that in terms of the sawbill situation the Inner Moray Firth is a special protection area for this species of bird however avenues are being investigated in this area at present.

Woody Debris – Keith noted that the Board must be careful in regard of removal of woody debris, for the most part the debris is a good thing with only the occasional area being a problem and cognisance must be take of this.

Annie asked Keith regarding escaped salmon smolts. Keith noted the escape last year from the Lochy side may be the cause of this. The Board agreed that a strategy on this issue requires to be discussed.

Herring nets have been offered by Sandy. John and Keith agreed to liaise with Sandy in relation to the nets.

10. Senior Bailiff's Report

The Senior Bailiff's Report was tabled and the contents noted. It was agreed to try the net in Foyers Bay and ARD requested this be initiated as soon as practical.

11. To consider membership of Fishpal and its terms

ARD tabled the project noting the preference for individual beats to become members rather than the Board. This was agreed and ARD undertook to write to the beats on a neutral basis regarding this subject (to river proprietors only.)

12. To receive a verbal report on the liaison meeting with S&SE

ARD briefly reviewed the content of the meeting which was noted by the Board. The Upper System update was very well received by S&SE. The new agreement was discussed and SSE requested this be put in place now. A draft will be distributed when available and it was agreed that the Board would see the final document prior to the agreement being signed off.

13. AOCB

a) Moray Firth Sea Trout Project – contact has been received from Marcus Walters along with a copy of the report. A further request for financial support has also been received. It was agreed that he be invited to the next meeting in order to ascertain whether a further financial contribution should be paid.

14. Date of Next Meeting

The date of the next meeting was agreed as 2.00 pm on the 21st June with a venue to be confirmed.

ARD closed the meeting by thanking Rod for his services since January 2010 noting the volume of work which has been undertaken in this time.

There being no further business the meeting closed at 16.30 pm.