

## NESS DISTRICT SALMON FISHERY BOARD

### MINUTE OF MEETING

held at Ness-side on 17 February 2011 at 2pm

#### Present:

Andrew Duncan, Ness Castle, Chairman (AD)  
Rod Andean, Clerk (RA)  
Michael Martin, BPT, Mandate (MM)  
Ryan Rutherford, Ness-side, Mandate (RR)  
Don MacKay, Angling Club, Mandate (DMK)  
Annie Girvan, Invermoriston, Mandate (AG)  
Willie Armstrong, Oich, Mandate (WA)  
Graham MacKenzie, Co-option (GMK)  
Sandy Patience, Netters, Co-option (SP)  
Neil Cameron, Ness and Beaully Fisheries Trust, Co-option (NC)  
Keith Williams, Ness and Beaully Fisheries Trust, Observer (KW)  
Alastair Stephen, S&SE (AS)  
Bob Morgan, Garry (BM) representing Paul Williamson

AD welcomes everyone to the first meeting of the Ness District Salmon Fishery Board of 2011 and thanks RR and Donald MacDonald of Ness-side for hosting the meeting. AD also introduces BM (BM) and welcomes him to the meeting as a representative of Paul Williamson.

#### Apologies

Were received from Ben Leyshon of SNH with a note from KW that Ben Leyshon has noted that SNH are cutting back on their attendance at meetings so he may not be able to attend any meetings in the future.

#### Minutes of last meeting

There is a request for Minutes to be produced earlier.

#### Matters arising

Angus MacGruer was asked to join the Board by the Clerk. He responded to say that he would like to join the Board but asked if there was any conflict of interest due to him working in the Planning Department for the Highland Council. AD asked the Board for their thoughts. DMK states that should there be a conflict of interest he would have to declare it and remove himself as any Board member should. The Board is happy for him to join on this basis. RA is to inform Angus.

#### Statutory Controls

KW explains that we are still waiting on the Scottish Government. KW has continued to ask Manson Wright of the Fisheries Department about when we will receive feedback but at present nothing has been done. The Board must wait until the Minister makes a decision but KW will continue to liaise with Manson Wright over this. AS asks if Manson Wright has indicated if the Minister has made a decision

but is just waiting for the appropriate time to sign it off? KW explains that he has had no indication from Manson Wright.

#### Assessments

AD explains that the new assessments went out as per the District Valuer's decision. DMK states that the Inverness Angling Club has appealed the decision by the District Valuer.

#### Bailiff's Report

AD looked into issues surrounding court prosecutions and believes the Police were not at fault in the instances referred to in the Bailiff's Report so he has not written to the Chief Constable. AG believes the Board could still do with meeting with the Police as the responses are far too slow. AS comments that the Tay Board has a good relationship with the Wildlife Liaison Officer. KW notes that the Conon has a good relationship with their local Police. WA states that the Spey also have a good relationship with the local Police and it is generally taken by the Board that something needs to be done to create a better relationship with the local Police and Wildlife Liaison Officer.

#### Season Extension

The Trust has had formal confirmation from the Board to go ahead with the Season Extension for 2011. The Trust has this in hand.

### **Sub-Committees**

#### Upper System

MM puts across an over-riding question to the Board regarding the Upper System; what has happened to the principal runs of fish in the Upper System? It is explained that a thousand fish believed to be of native genetic origin used to be caught at the fish heck at the Garry Dam where they were then stripped and the eggs put into a hatchery. There are now about 20 fish arriving at the heck but these are believed not to be of genetic origin – possibly Norwegian. So what can we do? Possible options could be to start up the hatchery using what genetic material is available and can be gathered and if this is not achievable, re-populate with a different genetic stock. The Board must also consider the money available from Scottish & Southern Energy for particular reasons. KW explains to the Board that they must be aware that the Board stocked a variety of genetically different stock in the past with some of the fish bought from fish farmers, so the Board may have contributed to the Norwegian genetics. He continues to state that the Trust have found no genetic material of 100% native genetic make-up in the Upper Garry system. GMK has a letter from 1980 which backs up KW's position that Garry system was stocked with fish from elsewhere. AS explains that there is little chance that Norwegian fish stock would last very long due to their genetics. AS and KW are in agreement that due to continued inadvertent re-stocking by escapees from the fish farm, the native genetics are slowly being bred out. KW explains that the Board must tread carefully when dealing with Marine Harvest and that they must be careful not to dwell on the past too much. BM believes that the key issue is to establish the baseline. His personal feeling is to start again (wipe the slate clean) and goes on to say that it would be good to try and find any old information relating to the genetics of the fish stocked in the system in the past. AS explains that Marine Harvest is not allowed to operate in the manner they do here in Norway and Chile so why are they allowed to do it here? Marine Harvest has intimated that they would like to move to closed system smolt farms in Scotland in the future. MM the Board need to decide if they are willing to put up a bit of a fight up against the fish farmers. He highlights it must be managed in a correct way. The Board needs to hold its hands up to what work took place in the past but we do want to point the blame to what has

been taking place in recent years with regard to smolt escapes. AS endorses MM's statement. MM no matter what the Board does there will be no 'magic bullet'; there will always be something not right. It will therefore be a very hard decision with a lot of risk attached to it. WA asks if the Board's representatives can just go ahead and meet with Marine Harvest and start things off.

AS explains to the Board that Scottish & Southern Energy will be reviewing the Agreement with the Board in 2012 (hopefully May 2012). Discussions relating to this need to take place at the liaison meeting. AS and KW also explain that both of them have had informal discussions with SEPA and the sub-group should seek to liaise with SEPA with regard to what goes on in the Upper System. AD thanks MM and the rest of the sub-group for their hard work so far.

### Website

RR explains on behalf of Paul Williamson where things are with the website. It is basically 75% complete. RR asks for the Board to clarify if the Board want to change from Ness District Fishery Board to Ness District Salmon Fishery Board. It is decided that as it is the Ness District Salmon Fishery Board, that the website address etc should be changed to that or NDSFB. The Board are also asked if they wish to have Board e-mail addresses. There is an overall 'no' from the Board.

### Bailiffs

AD explains that this sub-group has met twice so far. They have looked at what the bailiffing strategy should be for the future. With this in mind they are looking at prioritising duties and will hopefully have a bit of a report to provide to the Board at the next meeting.

### **Catch Returns for 2010**

Prior to the meeting, catch returns were still required for Inverness Angling Club and WA. These were provided at the meeting, Inverness Angling Club making a return showing a total catch of 393 fish for the year and WA 39 fish for the year. These combined with the rest of the figures give a total catch for the system of 1,481 fish for the year which would make it the best return for five years. It is noted that 1,000 of the total were caught on the Ness with 481 being caught above Dochfour Weir. It is noted that 43% of fish caught were returned by Inverness Angling Club with the total for the system looking at about 60% return rate. RA informs the Board that there has been a distinct lack of returns in the past from the information held by the Clerk and therefore it is difficult to make a good comparison with other years. The information in possession of the Board for 2003-2007 for example was gained by the present Clerk from the Scottish Government and not from records held by the Board. GMK asks if there is any historic data going back 50 years for example on catch returns? This remained unanswered at the meeting.

### **Presentation by Iain Wood of Fishpal**

AD introduces Iain to the Board. Iain explains that 702 fisheries currently use the Fishpal system with approximately 900 million hits a year, 26,000 active users, 40,000 people on a mailing list and 11,000 bookings processed a year. He comments that there was a lot of interest from America last year. He explains there are different methods of implementing Fishpal. Fishpal can take a commission which could be added to the cost of the fishing or paid up front by the Beat. He also explains that donations are made to the Fishery Trust in the area that the fishing was purchased from. Users can also book

accommodation as well but no commission on accommodation is taken by Fishpal, only fishing, unless bulked into the price. AD asks the Board what they think. Does the Board, for example, want to promote Fishpal as a system or do it individually? Board members are asked to have a think about it and try to make a decision at the next meeting.

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## **Budgets**

AD explains that the Budget produced is only there as a guide and is not saying that this is what the Board will do. The Budget has been produced to create a healthy debate. AD explains that he reviewed and analysed the figures over the last few years with the information he had available at the time and notes that the expenditure is fairly static. NC is worried about the drop in the contribution to the Trust. The Trust has done a lot of work with regard to the science input along with planning application response and so on over the last few years. AS believes that the Board should continue to support the Trust especially with regard to the information the Trust has been providing which ties in with the money Scottish & Southern Energy pay to the Board. GMK goes on to say the original remit of the Trust and how it would develop over the years was that the Ness Board's contributions would reduce over time to a point where the Trust would be able to self-fund. KW explains the Trust will therefore need to cut back on the amount of time spent on Ness issues if the suggested cut(s) took place. MM explains that the two biggest costs currently are the Trust and bailiffing so what should the Board do? SP explains that 93 hours was spent by the bailiffs watching nets last year. AD asks when the problem is on the upper beats. AG explains that it is when the trout season starts which is usually Easter weekend. AD asks if the Board are of the consensus that bailiffing duties should be addressed. RA explains to the Board that they need to look at the Budget as the big picture and what could evolve in the future. WA and AG asks if the Trust are able to put a timescale on when they will be at a point where they will have enough information to move things forward with regard to the genetics in the Upper System. It is noted at this point in time there were a lot of distractions and discussions relating to the Budget and the financial issues around the table. AD then goes on to ask do we need a hatchery for the rest of the system? AS Scottish & Southern Energy will only contribute towards a hatchery for the Garry and Moriston. AD asks if the Board thinks the hatchery costs are about right? DMK says they seem too low. SP asks if a fish counter could be installed on the lower Ness at the Black Bridge for example. AS says quite simply 'no'. DMK asks AD what are the Board's priorities? AD it is for the Board to decide. He simply created a framework for discussion and debate regarding certain areas. WA asks if Strutt & Parker could provide a quote or guide for them effectively carrying out the role of Chief Executive? RA said Strutt & Parker certainly can and can begin to discuss the service they can provide. AD stops the discussion on the budget as he will take all comments away and try to produce a more detailed budget for 2012. DMK asks if the full cost of a hatchery can be looked into. AD, MM both say they will try. MM maybe the Board need to try and get a job brief/description together for the Chief Executive work which might be done through liaising with other Boards. WA can Strutt & Parker produce a quote for taking on the Chief Executive's role? GMK asks about the ideas relating to bailiff's redundancies etc. AD the idea has been dropped through more information coming to him.

### **Open Evening**

AD do the Board wishes to go ahead with the Open Evening anytime soon. The general consensus from the Board is to leave it for the time being until at least the next Board meeting when the Board will be in a better position to provide the public with more comprehensive information.

### **Ness & Beaully Fisheries Trust Report**

See attached Report from Keith Williams.

### **Bailiff's Report**

See attached Bailiff's Report. DMK adds that he doesn't think the seal has been back much and believes it was sick.

### **British Waterways**

It is understood there are problems with what they are doing on the Oich.

### **Inverness West By-pass**

AD asks DMK what the Inverness Angling Club has done in relation to this? DMK the Angling Club has submitted their response to the Highland Council Planning Department. KW asks if the Board's last report can be passed to the Angling Club and vice versa in relation to this.

### **Chief Executive**

This was discussed earlier in the meeting but it is highlighted that more background work needs to be carried out on this subject.

### **A.O.C.B.**

SP asks RA why he has not answered a letter from Dougie MacDougall. RA cannot remember such letter and will liaise with SP for details of the letter. MM what is the motive of the letter? SP explains he is just the messenger and does not know. GMK is he entitled to some of the information as he is not a proprietor? AD says he will ask RA for Dougie's number to call and speak to him as it may be better addressed in a call rather than a letter.

DMK feels that Inverness Angling Club is not going to be able to keep ongoing in the future due to the increase in assessments coupled with their rent. AD understands this position but explains that this cannot be addressed at this meeting as it is a very big subject that will take some time to look into.

DMK has the Catch and Release policy been sent out because he does not think it is correct and requires changing. AD will check with John MacColl.

### Date and Place of Next Meeting

Monday 18<sup>th</sup> April, Ness Castle Lodge, at 2pm.

Rough dates for the next four meetings:

23<sup>rd</sup> June 2011

6<sup>th</sup> October 2011

15<sup>th</sup> December 2011

23<sup>rd</sup> February 2012

AD closes the meeting and thanks everyone again for coming along and again thanks RR and Donald MacDonald for the use of their facilities.