

NESS DISTRICT SALMON FISHERY BOARD
MINUTES OF MEETING

Held at River Lodge, Ness Castle Lodges on Thursday 20th June 2013 at 14.05pm

Present:

Andrew Duncan: Ness Castle, Chairman (AD)
Willie Armstrong: River Oich, Mandate (WA)
Bob Morgan: River Gary, Mandate/Alternate (BM)
Neil Cameron: Ness & Beaully Fisheries Trust (N&BFT), Co-option (NC)
Graham MacKenzie: Co-Option (GMcK)
Angus MacGruer: Co-Option (AMcG)
John MacColl: Head Bailiff (JMcC)
Keith Williams: (N&BFT), (KW)
Ryan Rutherford: Ness Side, Mandate (RR)

In Attendance:

Michael Martin: Chief Executive/Clerk (MM)
Rachel Murray: Minutes Secretary
Alastair Stephen: SSE(AS)

Apologies:

Ben Leyshon: SNH (BL)
Paul Williamson: River Gary (PW)
Don Mackay: Highland Council, Mandate (DMcK)
Nigel Fraser: Dochfour, Mandate (NF)
Sandy Patience: Nettsman, Co Option (SP)
Annie Girvan: River Moriston, Mandate (AG)

1. Approval of Previous Minutes

The minutes from the Board meeting held on Thursday 28th March were approved by the Chairman without amendment.

2. Actions

KW advised that he has not started writing up the reference document on pike, this action is ongoing.

AD advised the advert and subsequent appointment of a new River Director would be covered later in the agenda.

MM advised he has written to the police highlighting the importance of salmon to the river system and asked them to forward his letter to the procurator fiscal.

KW advised the individual who is persistently fishing without a permit was arrested for the 4th time on the River Beauy and the police are trying to get a court date to charge him with all of the misdemeanours.

MM advised arranging boat training is proving difficult. JM further advised that the training facility in Ullapool was not reliable and he has put his name down for training at the Findhorn Marina however the course needs another two attendees before the training company can go ahead.

JM has done one patrol of the Firth.

AD asked if the boat has all of the relevant certification. JM advised it does at the moment however there is a bailiff meeting being held in Perth and there will be a discussion on health and safety, post this meeting there may only be a few compliant boats in Scotland.

KW advised he has been in touch with SEPA regarding an abstraction licence at the Whin Park laid. KW had a site meeting with SEPA and Alan Scott from the Inverness Angling Club. SEPA took the matter very seriously and consequently met Highlife and Highland Council who advised the waterflow won't be turned off. There is also a potential flood issue with the laid as it is at present and Highland Council are looking at possibly de-culverting it. KW undertook to keep the Board up to date. AD asked if there was a CAR licence in place would the boating pond still be able to be filled. KW advised that it would still be able to be filled however the laid needs work. AD asked who would be responsible for the bill for any work undertaken and KW advised Highlife and Highland Council are in discussion regarding this.

AD advised that the open meeting was not held as AD, MM and Eric Verspoor could not coincide diaries throughout April and May. AD further advised that the Board now has a statutory obligation to have an open meeting every year so going forward the AGM, open meeting and December Board meeting will all be held on the same day.

3. H&S Report

There have been no reportable health and safety accidents or issues.

4. CEO Report on Key Issues

The CEO's report was noted.

MM advised the spring fishing was not great but better than last year

AS advised that low fish counts up the dams in early spring are down to water temperature. AS highlighted the fish pass at Pitlochry as an example where the numbers of fish passing the counters were very low in May however in the past two weeks there have been over 2000 fish pass with the count being 2700 last night. This is due to the water temperature being low in May and rising in June.

The **Upper River Action Plan** was tabled for discussion. AS advised it had been 6 months since the first proposition had been put to Marine Harvest. The proposition has taken a while to be processed by Marine Harvest due to changing personnel however AS and BO met the new staff who would be dealing with the project and put the proposition to them. They initially said yes in principle but wanted more detail and would like to see how SSE operate with other Boards. Further to this request AS and BO will arrange to show the Marine Harvest representatives round the Conon.

Marine Harvest do not want to commit financially but their involvement would be practical. If they were to be involved on the practical element this would make cash available for other areas of the project. Marine Harvest took all of the information provided to them on board and also indicated that they wanted SSE to become more involved on the Lochy.

AD advised he and GM visited the Lochy and met John Gibb, with Marine Harvest's involvement on the Lochy it has much improved.

AS advised that he doesn't want Marine Harvest to take through to smolts as he wants to produce the most natural smolt possible.

BM asked if at this stage there is any indication when Marine Harvest would be likely to implement their involvement. BM highlighted there is a 6 month period to allow negotiations to turn into detail.

AS advised that when Marine Harvest are signed up a meeting will be arranged with all parties to allocate responsibilities. AD advised it is an exciting project that will bring communities together.

AS asked who the Board would suggest to write up the project. AD advised he has met with Melanie Smith from the Rivers and Lochs institute and he is trying to bring RLI to the table also as having them in the area it would be of benefit to work with them.

The **River Ness Study** was then tabled for discussion, MM advised he hasn't pressed Eric Verspoor for a report as the new River Director will pick up on this however there has been no hesitation from Eric Verspoor.

MM advised there are only one or two assessments still overdue for payment and MM has written to proprietors who have members on the Board; both of these debts have now been paid. There are still funds outstanding on the Garry however the Garry representative was still invited to attend today's meeting as an observer and will not be able to contribute in any decisions. The funds outstanding will be cleared in 2 to 3 weeks.

It was noted that the **press release** received good coverage and MM was interviewed for STV news. AS highlighted that with publicity the Board should be aware that SSE and Marine Harvest are likely to receive negative feedback and any press releases mentioning the Upper Garry project needs to be handled carefully. MM advised it would be handled carefully but also the project requires publicity as it is an important project.

AD advised there will be another press release issued on the appointment of the new River Director. MM advised there had been circa 25 applicants and 6 of which were worth considering. 5 applicants were interviewed, the 5 interviewed had a lot to offer however MM and AD agreed that Christopher Conroy was the outstanding candidate.

Christopher Conroy is being employed as CRO/River Director and not a biologist. Christopher's remit will be to get things moving on the various projects being discussed by the Board. Christopher's remuneration was discussed at this point, which is deemed to be personal and not shown in this version of the minutes.

AD advised that in his first month Christopher will be debriefed by MM and then draw up action plans. Christopher will attend the September Board meeting.

5. Finance

1. Management Accounts to 15 May 2013

The management accounts were noted.

The accounts to end May 2013 will now go to the Board's accountants to put into final form and will then be issued to proprietors.

AD advised the income was where it should be and savings had been made in that MM had volunteered to continue in his current role free of charge until Christopher takes over.

The bailiff costs are shown as being over budget due to Billy Orrick's redundancy figure being put through.

AD advised that motor expenses are a big cost with 3 vehicles being run currently and AD proposed reducing to 1 vehicle for JM and purchasing a pool vehicle such as an estate car or Astra van. AD suggested the pool vehicle could be available for Christopher, JM and a summer bailiff.

AS asked if the query with SSE paying their contributions to the Board had been sorted out. MM advised Deirdre had received a purchase order and had sent out an invoice.

There is a surplus of circa £4K noted at the last year end. With £105K in reserves, £95K in the bank and £68K coming in from SSE financially the Board are in a good position.

AD stated that the Board had been reluctant to spend more than the income however over the next few years to achieve results in the projects planned this will have to happen.

2. Budget for 2013/2014

The 2013/2014 budget was tabled for discussion.

AD advised that the 2013/2014 budget shows a loss due to spending on the River Ness survey. The Budget has allowed for £8K for Eric Verspoor's report however Eric will take over a year to complete his report so this cost will be more.

AD advised the bailiff costs need to be monitored to see how they work in practice.

After further discussion the Board accepted the proposed budget.

3. Agreement to legal action for recovery of unpaid assessments

Legal action for recovery of unpaid assessments was discussed.

There is currently circa £10K in outstanding debts and it was agreed that Deirdre and MM have until end July to collect these debts and if they are not cleared by the start of August the Board will take legal action to recover.

6. Head Bailiff's Report

The head bailiff's report was noted.

JM advised he is constantly moving fishers on from the firth fishing for sea trout. There is currently no facility to purchase a sea trout permit however. AD suggested setting up an arrangement with someone in the North Kessock and Fortrose areas to distribute permits for fishing.

7. Biologist Report

The biologist report was noted.

KW advised he had received a report detailing the **genetic makeup of fish** in some areas. The areas tested included Dochfour, Enrick, Lower Garry, Kingey and Greenfield Burn. The combined results suggested 47% of fish tested are pure Scottish, 9% are pure Norwegian and 43% are hybrids.

AS asked if the report took a proportion of samples from different areas and do the genetics change from top to bottom. KW advised that the Greenfield Burn is almost pure Norwegian and the Kingey showed a lot of hybridisation with some pure Scottish and Norwegian also.

KW advised the technique was developed in Norway and the same exercise was undertaken on the West Coast with 25% showing signs of hybridisation. KW further advised that the East Coast have not carried out this study and it has not been done in an area away from aquaculture. AS suggested it would be useful to look at rivers away from aquaculture.

KW advised that the information contained in the report is owned by the Trust but Marine Harvest do have a right to look at it.

There are two reasons for these results, either stocking or escapees. The report sought to present challenges and the Board now need to decide where to go on from here. KW undertook to seek permission for the Board to see the findings.

AS advised Phil McGinity might be able to explain the findings of the report better and assess the survival rates of hybrids. AS undertook to contact Phil McGinity to see if he is available to give an opinion.

AS undertook to pass papers by Phil McGinity round the Board.

The **Coiltie blockage** was discussed. KW advised there have been problems removing it. KW requested SNH remove all material but they said no. Currently nothing could get in or out, KW has spoken to SEPA as the river will not move around the blockage and KW does not have permission to dig a track.

AD asked KW to organise a meeting with SNH, AD and KW in attendance.

The **Inchmore Salmon Farm** was discussed. The salmon farm want to build bigger but largely contained system. KW advised the Board could object to the Highland Council but at this stage KW suggested just requesting more information however there may not be any more information available at the moment. KW advised he would rather have a larger on land system than another cage on Loch Ness.

KW undertook to circulate a short paper on this.

8. Implications of the provisions of the Aquaculture and Fisheries (Scotland) Act and following on proposed legislation

Included in the Board pack were a review of Salmon and Freshwater Fisheries Management in Scotland and a briefing note to DSFB's on the provision of the Aquaculture and Fisheries (Scotland) bill from ASFB.

It was noted that the new act will increase bureaucracy and costs for district salmon fishery boards but will not help to get more fish into rivers. The act will in fact take funds away that could have been used towards research.

MM advised that he doesn't know exactly what is coming however the letter sets out what is anticipated so the Board can only wait and see. Boards have been criticised for poor management and a lack of openness.

AD highlighted that the Ness Board is properly managed and suggested the Board should carry on as they are doing.

9. Research Facility

AD advised that following discussions with Eric Verspoor and listening to what is happening at the UHI and RLI the Board should try to work with them to create synergy. AD has met with Melanie Smith who is Eric Verspoor's line manager. The theory being that if UHI are to produce top quality students they should also provide a facility for on the job training.

AD suggested a mini hatchery to allow students to see how to operate a hatchery and also that there may be a number of projects on the system suitable for PHD studies. There are a number of examples and AD highlighted he is interested to bring the Board and academia together.

AD further advised that following discussions UHI also seem keen to take this forward and it is important to do so quickly. AD undertook to write a paper from the Board's point of view and then pass to Melanie who will add the RLI viewpoint then issue at the next Board. AD advised Melanie asked to get involved as she is interested in grass roots training and setting up a centre of excellence that is vocational as opposed to PHD level.

10. Commercial Netting: Report on discussion with Netsmen

The Board was informed of the outcome from the meeting between Mr Sandy Patents and Mr Graham Sutherland (with Mr Patents lawyer in attendance) and MM/AD/GM.

There were two key outcomes from the meeting – the first being an agreement over the nature of operation of the nets and it was agreed that in order to comply with legislation a net must be kept in motion.

The second issue was a suggestion from Graham and Sandy that they may be prepared to sell their netting interests to the Board.

AD suggested that should the Board wish to purchase this then all netting stations within the Board district would need to be purchased. The Board agreed that a purchase should be considered. An independent valuation will need to be obtained

and sources of funds investigated as it would be very unlikely that the Board could fund this themselves.

It was noted that the Salmon and Trout Association could be a potential funder but it was agreed that all other potentially interested parties should be approached.

It was accepted by the Board that such a deal could not be concluded this season – but that AD/MM should enter negotiations with SP & GS to see if an acceptable deal could be struck to ‘buy-off’ their nets for this season. The Beauly board should also be approached and asked to contribute.

11. AOB

With there being no further business to discuss the meeting closed at 17.30

Next meeting is to be held on 20th September 2013, venue to be confirmed.