



NESS DISTRICT SALMON FISHERY BOARD BOARD MEETING MINUTES

Time: 14:00

Date: Thursday 3rd April 2014

Location: Board Room, Inverness Caledonian Thistle Football Club

Present:

Michael Martin: Dochfour, Mandate (MM) Chairman
Graham Mackenzie: Co-Option (GMcK)
Neil Cameron: Ness & Beaully Fisheries Trust (N&BFT), Co-option (NC)
Annie Girvan: River Moriston, Mandate
Angus MacGruer: Co-Option (AMcG)
Bob Morgan: River Gary, Mandate/Alternate (BM)
Ryan Rutherford: Ness Side, Mandate (RR)
Alan Scott: Angling Club, Co Option (ASc)

In Attendance:

Alastair Stephen: SSE (ASt)
April Conroy: Board Secretary
Chris Conroy: Chief Executive/Clerk (CC)
John MacColl: Head Bailiff (JMCC)
Keith Williams: (N&BFT), (KW)

Observer:

Steven Black: Member of the Angling Club

Apologies:

Andrew Duncan: Ness Castle, Mandate (AD)
William Armstrong: River Oich, Mandate (WA)
Ken Gowans: Highland Council, Mandate (KG)
Alexander Patience: Netsman, Co Option (AP)

1. WELCOME & APOLOGIES

Apologies were noted from Andrew Duncan the Ness Castle Mandate, William Armstrong the River Oich Mandate, Ken Gowans the Highland Council Mandate and Alexander Patience the Netsman, Co Option.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MM invited review of the minutes from the previous Meetings.

The Annual General Meeting Minutes can only be formally approved at the next AGM however comments were invited. No comments were passed.

MM reviewed the Board Meeting Minutes page by page. No comments were raised. GMcK proposed that the previous Board Meeting Minutes were approved and this was seconded by RR.



MM reviewed the Public Meeting Minutes page by page. No comments were raised. NC proposed that the previous Public Meeting Minutes were approved and this was seconded by GMCK.

3. ACTIONS

Action 1 was reported as in progress and was carried forward.

Action 2 was carried forward.

Action Item 3, a poster describing the difference between fresh run sea trout and sea kelts was passed around for review. AS requested that the pictures of the fresh be fatter and the kelt be thinner or alternative pictures be found. The poster was approved subject to these amendments to then be laminated and put up at strategic locations along the river.

Action 4 & 5 would be discussed at Agenda Item 5.

Action 6 & 7 were carried forward.

Action 8 will be discussed under Agenda Item 9.

Action 9, MM stated that the Ness Scoping study would not be going ahead as previously planned. MM explained the financial cost was substantial and a full update would be provided under Agenda Item 6.

Action 10 was carried forward.

Action 11 was reported as being progressed by MM/AD/CC. Vehicles are being reviewed and will be concluded in next few months.

Action 12 was reported as under way and carried forward.

Action 13, MM invited views of Board. It was agreed that legal advice would be explored by MM in order to ascertain the options.

Action 14, CC reported a good uptake of tagging and some interesting early results. The method of scale ageing and validation was discussed and it was explained that the country's expert Bryce Whyte was being appropriately consulted.

Action 15, MM reported that a national economic assessment is taking place. MM asked whether the board still want to progress a local economic review as this would cost a few thousand.

Action 16 was carried forward.

4. MANAGEMENT OF NESS & BEAULY FISHERIES TRUST

This agenda item was brought forward on the agenda as NC needed to leave the meeting early.



CC explained that there are a number of options for how the management of the N&BFT could be taken forward in light of KW's resignation. One of these would be for CC to take on the executive management of the N&BFT.

NC explained that the existing biologist has the experience to step-up and take on more senior responsibilities for the scientific and technical work. NC commented that CC has shown the capability to provide the management of the NDSFB to a high standard. NC identified that there is an opportunity to use these capabilities across both the NDSFB and N&BFT and that through closer working arrangements there would be potential cost savings and resource sharing that could prove valuable to both.

MM commented that everyone was in agreement that CC would be capable of performing both duties to a high standard however that he would only have the capacity to carry this out if he were alleviated of other duties. The income received back to the NDSFB for CCs contribution could be used to further the fisheries protection and bailiffing efforts and that a contribution would be needed from the Beaulieu.

The question was raised of how this relates to the previous redundancy of a bailiff. MM explained that the circumstances have substantially changed. The Board could not have anticipated that KW would resign and that this circumstance would occur.

MM asked if the Board is in agreement with the concept in principle. All agreed that in principle it was a good idea but that it should be reviewed after 6 months in order to identify how it was working in practice.

BM identified that short-term arrangements tend to be made permanent without formally reviewing and addressing issues. BM drew attention to the paper and the issue of bailiffing. It was agreed that the arrangement cannot be adopted without additional bailiffing being put in place. Discussion was had and it was stated that the pressure on CC and on JMcC without an additional bailiff resource would be substantial and unacceptable.

MM and AS raised the question of whether the fisheries review would put further questions into play. It was agreed that any staffing arrangements needed to be made on a temporary basis in order to remain flexible to respond to the results of the review.

The board agreed that during the next 6 months CC would be utilised as a shared resource providing that this can be done on terms that are acceptable to the Board. Without suitable terms it will not be done. The arrangement will be temporary for 6 months, pending a review.

NC agreed that a similarly temporary arrangement would be made within the N&BFT to utilise their Biologist resources to take on the senior scientific responsibilities temporarily pending review after 6 months.

5. H & S REPORT

CC Reported that there were no reportable H&S incidents. Fire extinguishers and first aid kits have been added to all vehicles.

CC reported that the IFM, in association with the ASFB, is developing a Conflict Resolution training course for Water Bailiffs.

NC left the meeting.

6. GOOD GOVERNANCE

Complaints Procedure

CC explained that the procedure has been reviewed and revised to a 4 stage process , including provision for independent arbitration. BM suggested dropping stage 2. Discussion was held and the Board concluded that the current procedure be accepted, including steps 2 and 4, with an action on MM to identify a suitable arbitrator and seek their agreement. The procedure would be reviewed again at the next Board meeting. GMcK proposed approval and BM seconded this.

Register of Interests

CC reported that many members have submitted their interest. CC requested all submissions be made by the 10th April 2014.

<<Break>>

7. DIRECTOR/CLERK'S REPORT

Highlights

CC commented on the season opening and the current catches with over 50 fish to date, in line with 51 to the end of March last year.

Fisheries Assessments

CC noted that the fisheries assessments deadline had been the 28th February 2014 and that there were a number of assessments outstanding. Reminders for late fees would be sent out shortly. MM asked for views on whether legal action should be taken. AS commented that Mark Bilsby had taken legal action as a matter of course on the Dee and that there were no longer problems after a few years of this approach. It was agreed that legal action should be pursued on the Ness System. CC took an action to discuss processes with Mark Bilsby. MM took an action to take legal advice.

AS requested that invoices should to be sent to the person who issued the Board with the PO in order to be paid. CC agreed to double check that this process was in place.

Predator Management

CC reported that both seal and bird licence applications had been successful and thanked Keith for his work in ensuring this. RR requested a starting pistol for firing blanks to scare birds. MM and CC clarified that KW is the licence holder and could appoint authorised agents to shoot a defined number of goosanders, mergansers and cormorants. This can only be carried out as an aid to scaring. Further to this, KW clarified that it is legal to scare birds with a starting pistol, although care should be taken so as not to disturb any breeding birds.

Clarification was stated that the current license covers the River Ness only. GMcG took an action to purchase 3 starting pistols for use by GMcK, RR and Ala McGruer on the Oich.

Consultations

CC reported that harbour dredging is to be due to take place at the same time as the flood alleviation scheme and hence CC has asked for Marine Scotland to look at the in combination effects of these works on salmon and sea trout migrating through the affected area.

CC also noted that the flood alleviation scheme artwork will feature the Salmon and the Eel.

CC noted a study taking place to look at the effects of piling on salmon. AS questioned what would happen to the fish after the study. CC stated the outcome as defined on the consent.

Communications

CC noted the communications as per the Director's report. CC noted that he would recommend setting-up a facebook page. KW noted that other fishery boards have needed to adopt a Social Media policy in response to online bullying. CC took an action to confer with other Boards. There were no objections to the facebook page.

Project Updates

Upper Garry Salmon Restoration Project

AS noted progress on the Upper Garry Salmon Restoration Project. The support from Sandy Patience with the construction of the Garry Dam trap was noted as an important part of the project. AS stated that there had been an issue posing a health and safety risk when the gates of Garry Dam were opened and the flow was increased. AS confirmed that a process was now in place to notify AS and CC before the flow is increased above a specified threshold in the future. AS noted that CC will manage the operational side of the project and AS the project management and project board governance. CC thanked BM, Paul and Colin Sage for their support and cooperation enabling the project.

Holm Burn restoration

A compensation flow was being pursued however this is unlikely to be concluded until 2016. In the short-term, there is a proposal to take the following actions:

1. Assess and improve the fish pass
2. Mitigate the impacts of low flows
3. Carry out restoration stocking

CC explained that a 'SNIFFER' assessment would be completed on the fish pass between the 15th and 17th April 2014 to determine its effectiveness.

GMcK asked whether a fish stop would protect stocks if the holm burn dried out again. KW clarified that it last dried out fully in 2006 and the decision had been taken to give the fish a change to spawn.

CC noted that in-stream flow deflectors would be used to create holding pools for juvenile salmon and trout and improve the condition of spawning habitat. RR noted that no work is allowed on the parts of the Holm Burn where the Highland Council has put in place flood alleviation measures. CC noted this and that the proposal would need to be approved by the board, the proprietors and then permissions sought with other parties such as SEPA and Highland Council. MM asked for the board's approval for these first two elements of the project and it was granted.

CC noted the increasing pressure being put on the Board to stock the River Ness and the difficulty in justifying such an 'enhancement' stocking. He explained that the proposed stocking on the Holm Burn was for 'restoration' purposes and for a fixed period of time (three years). It aims to 'pump prime' the salmon population to establish a self-sustaining population.

The adult broodstock would be captured locally by rod and line (subject to consent from Marine Scotland) and held for a short period. They would then be stripped and eggs placed into incubation boxes on the riverside. The first adults would return in 2018 when the compensation flow and restoration would be in place. An action was taken for CC to pursue potential financial support from Scottish Water for an incubation box project.

The proposal was supported, provided that broodstock fish are taken from the mouth of the river and the barrier at the mouth of the burn is assessed and, if required, addressed.

Scottish Salmon Festival Inverness

This is being developed with Melanie Stevens from UHI as the Chair.

Ness Scoping Study

MM summarised that a decision had to be taken and given the current substantial financial commitment it could not proceed with the current format and pricing. MM contrasted that it would be better for the board to focus time and resource on projects like the Holm Burn restoration at the current time. This was agreed.

Ness Research Facility

MM reported that AD had meet with Eric Verspoor at UHI and suggested that this project should be led by them rather than the Board.

Fisheries Management Plan

CC reported that the updated Fisheries Management Plan was in progress and that a comprehensive document would be issued as a draft for comments by the Board within the next quarter.

8. FINANCE

Finance report reviewed and accepted.

9. HEAD BAILIFF'S REPORT

The Head Bailiff report was reviewed.

JMcC noted the threats and prosecutions cases. MM requested that JMcC seek clarification on the wording a recent charge against a repeat offender and the current status of any further outstanding prosecutions against them.

An action on AS to notify JMcC for up to date procedure for access to SSE sites required was agreed.

CC requested that where seals are spotted in the river, JMcC be notified as soon as possible.

10. NBFT BIOLOGISTS REPORT

KW noted progress with tagging and the Upper Garry projects. KW also noted that funding had been secured for the next financial year for the Mink Project. KW expressed thanks to the Board for their support during his time with the NBFT.

11. INDEPENDENT WILD FISHERIES REVIEW – WHAT DO WE KNOW?

The report on the Independent Wild Fisheries Review was noted. CC explained that there is likely to be change. There may be a central body and there may be a reduction in the number of boards. AS noted that there are 18 round table evening discussion taking place between start of April and end July and that these were invitation only. AS attended one of the first meetings as a representative of the IFM. Inverness is due to be near the end of the series. The meeting needs to inform the review by providing information about the regional differences. MM has received an invite and would attend or send a substitute.

12. NETTING BUYOUT – ITEM TO BE COVERED IN PRIVATE

This matter was discussed in private due to the financial sensitivity.

The Board concluded that they would propose to offer a buy-out the Kincurdie and Sea Park netting stations for the next 3 years if the Beaully Board agreed. The opportunity to continue some limited netting specifically for the purposes of scientific research and heritage protection would also be explored and supported.

13. AOCB

KW reported that he had applied the NASCO rod catch assessment tool to the Ness catch data. This identified later running fish (summer and autumn) on the Ness system were close to failing and that this should be carefully monitored over coming years.

AS provided copies of a leaflet from the Inverness Angling Club. He stated that a lower cost A4 folded leaflet would also be produced and distributed to public places and hotels to attract visitors. Discussion will be held with hotels regarding fishing holiday packages. MM noted that the IAC are also supporting youth fishing and MM asked whether the Board could support this in any way. AS asked whether the Board could take small groups to the river side for an informative presentation. MM agreed that this could be supported and AS could take it to the next IAC Board Meeting. KW noted a fisheries development project in the Moray Firth has been proposed and a meeting held just last week.

GMcK commented that he was pleased to see the fish being caught this year however that photographs have shown that the handling and welfare could be improved. The introduction of fishing mats, encouraging anglers to keep fish in the water and other further matters were discussed. MM noted the importance of balancing the praise due to the anglers for putting fish back and the need for gentle education. CC took an action to get more catch and release guidance leaflets and distribute them to the ghillies and anglers.



MM noted that this was KW's final meeting. MM noted the great contribution and support that has been provided by KW and that the system has benefited considerably. The Board wished KW all the best in his new position.

MM concluded the meeting.

THE MEETING CLOSED AT 16:55