

NESS DISTRICT SALMON FISHERY BOARD Board Meeting Minutes

Time: 14:00

Date: 16th March 2017

Location: Telford Suite, Inverness Caledonian Thistle Football Club

Present:

Alexander Patience: Netsman, Co Option (AP)

Angus MacGruer: River Oich, Mandate (AM)

Annie Girvan: River Moriston, Mandate (AG)

Bob Morgan: River Gary, Mandate/Alternate (BM)

Eric Craig: Angling Club, Co Option (EC)

Graham Mackenzie: Co-Option (GM)

Neil Cameron: Ness & Beaully Fisheries Trust (NBFT), Co-option (NC) – **Acting Chairman**

In Attendance:

Alastair Stephen: SSE (ASt)

Chris Conroy: Chief Executive/Clerk (CC)

April Conroy: Board Secretary (AC)

John MacColl: Head Bailiff (JM)

Nick Barker: NBFT, (NB)

Apologies:

Andrew Steel: SEPA (AS)

Ben Leyshon: Scottish Natural Heritage (BL)

Cllr Ken Gowans: Highland Council, Mandate (KG)

David Sutherland: Ness Castle, Proprietor (DS)

Gordon Armstrong: Ness Castle, Mandate (GA)

Kenneth Knott: Forestry Commission (KK)

Melanie Smith: UHI Rivers and Lochs Institute (MS)

Michael Martin: Dochfour, Mandate (MM) Chairman

Ryan Rutherford: Ness Side, Mandate (RR)

1. APOLOGIES

Neil Cameron (NC) introduced the meeting as acting Chairman in Michel Martin's absence.

Neil noted that the papers were issued via email and not post and that the proposal was to continue with this unless members specifically request paper. This was accepted by all present.

NC noted apologies as above.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the Annual Meeting of Qualified Proprietors (December 2016) were reviewed and no comments raised. The meeting minutes approval was proposed by GMc and seconded by NB.

The minutes from the Ordinary Board Meeting (December 2016) were reviewed and no comments raised. The meeting minutes approval was proposed by EC and seconded by GMc.

The minutes from the Annual Public Meeting (January 2017) were reviewed and no comments raised. The meeting minutes approval was proposed by GMc and seconded by NB.

3. ACTIONS LOG

- 13.01 Amend spelling of Angus MacGruer's name in the minutes of the Triennial Election: **Complete**
- 13.02 Set up meeting with Callum Campbell (potential Loch Ness Anglers Representative) and CC to make the necessary arrangements: **Carried forward**
- 13.03 Complete a new declaration of financial interest form at the earliest opportunity: **CC encouraged members to fill in their declarations of interest, blank forms were provided**
- 13.04 Arrange for a solicitors letter to all current fishery assessment debtors: **Initial contact made with solicitors, discussed in finance section**
- 13.05 Arrange meeting with UHI Rivers and Lochs Institute to arrange for a scope of works and quote for the Garry Project genetic analysis: **The analysis is due to be completed in May however the proposal is awaited**
- 13.06 Produce an Upper Garry Restoration Project Review to accompany this year's fish trapping applications: **Complete, all required fish trapping consents are also in place**
- 13.07 Purchase and issue the length/weight measuring tapes: **On hold to be discussed in 2017/18 budget**
- 13.08 Contact the Scottish Government to determine whether an 'in-estuary' netting station in Solway had been offered compensation: **Complete, CC has contacted the Nith and the Scottish Government and confirmed the netting station does not fall within the limits**
- 13.09 Pass Andrew Steel's (SEPA) contact details to AP: **Complete, CC apologised for delay**
- 13.10 Develop a line of communication between SSE distribution and NDSFB to feed info back to Glenmoriston Estate: **Complete, CC and AG to leave open**

NC invited further comments, none were raised.

4. HEALTH AND SAFETY REPORT

No reportable incidents. The paper was briefly reviewed by CC.

5. GOOD GOVERNANCE

CC encouraged all members to fill in the declaration of interests. NC asked voting members to take a form and fill it out at the meeting.

Action 14.01 – All voting board members to complete a new declaration of financial interest form at the earliest opportunity.

CC reported that all good governance requirements are currently fulfilled.

6. FINANCE REPORT

CC noted that the finance paper was prepared with input from Andrew Duncan. Thanks to Andrew was noted.

CC noted that the current expenditure is exceeding income by some £27,000 per annum currently and savings of this order will have to be found.

It was proposed that the 2017/18 budget continue to operate with the same shortfall in place, relying on the cash reserves, but that the issue be addressed ahead of the 2018/19 budget.

NC identified that there are a number of options from reducing expenditure, considering amalgamation with other boards, such as the Beaully, or increasing the levy.

A sub-committee was proposed to look at the options.

GM asked about the SSE income and whether this would be ring-fenced and NC confirmed that it is. ASt stated that SSE would welcome dialogue.

NC drew attention to the projected movement on reserves based on existing budget deficits.

NC noted that the work carried out cannot be done for nothing. When you look at the Annual Report and review the work that has been done, this has vastly improved over the last few years. The only way to maintain this operation would be to increase the income.

NC noted that Andrew Duncan is willing to sit on a committee looking at any potential merger.

BM noted that as the second largest contributor, it would be appropriate for representation of SSE on the sub-committee. All agreed.

ASt noted that there are some partners, such as Scottish Canals who are currently not contributing.

A sub-committee was proposed. NC asked whether the Board would be happy for the Chair to elect the sub-committee. All agreed.

MM's availability to sit on the committee was discussed. NC noted that MM had indicated his availability would improve after the summer and that MM would intend to contribute in person, or offline, to this process in the future.

Action 14.02 – MM to elect a ‘Finance Sub-Committee’ to consider options for addressing current financial situation.

NC asked for comments and approval of the proposed budget. The 2017/18 Budget was given unanimous approval.

CC reported that in March 2016 the Ness DSFB formally requested the valuation joint board undertake a revaluation for 2017. The results of this are due later this month.

The debt recovery process was discussed. A solicitor’s letter with a 7 day notice could be prepared by Harper McLeod. The cost of this letter was discussed. The board agreed that the letter should be prepared and sent to two proprietors whom have continued not to pay.

Action 14.03 – CC to arrange for a solicitors letter with a 7 day notice to be prepared and sent to two proprietors whom have continued not to pay.

NC noted that the paragraph on page 2 of the Finance Report contains an error – the clarification is that outstanding debts are down from £2,232 at the December 2016 Meeting.

CC noted that our Public Relations services provided by McAllister Media is currently costing £375 per quarter (for the last six years) and that the contracted provider has requested this rate be increased to £450 per quarter. The merits of using this professional service were discussed.

NC proposed that the contract price increase should be accepted, at this point in time, but reviewed as part of the overall budget review by the sub-committee. This was accepted and agreed.

Action 14.04 – CC to agree to Public Relations contract price increase.

CC noted that the Ness DSFB currently has nine warranted bailiffs and that this may impact new subscription fees due to the Institute of Fisheries Management (IFM). ASt noted that the IFM rate for membership is £35 per warranted bailiff that is salaried and therefore the subscription should only relate to four of the nine Ness DSFB bailiffs.

The members asked what value has been received from the IFM Membership. It was noted that the training carried out most recently has been separately subsidised by the Board and was not provided by IFM. ASt clarified that CPD is available to the Board as a result of the contributions that they make for their membership.

7. DIRECTOR / CLERK REPORT

The Jacobite Cruises proposed discharge at the Loch Ness Clansman Harbour was discussed. All agreed that properly carried out treatment should make the discharge acceptable and that SEPA should be responsible for ensuring that an appropriate assessment of the potential significance should take place.

CC described the Scottish Water Loch Ness Regional Scheme where water will be abstracted from Loch Ness close to the Moriston SAC. He explained that he had requested that a Fisheries Impact Assessment (FIA) be completed.

CC Reported that a great deal of work has been carried out relating to the Scottish Canals Ness Weir refurbishment works on the River Ness. The NBFT have been sub-contracted by APEM Limited to produce a FIA which considers potential impacts and makes recommendations for mitigation. The Ness DSFB and local fishery interests have fed into the process.

AS noted that this could be a major issue this summer and that the Scottish Canals should take responsibility. CC confirmed that AS has positively fed into this process to date on behalf of SSE who own the sluice on Ness Weir. BM asked whether the Board can request a method statement. CC and AS confirmed that this will be requested, but that the works are not yet at that point.

CC and AS reviewed some of the issues with the proposed works and some of the potential mitigation and the impacts that have been identified and raised to date.

Marine Harvest has requested consent from SEPA for a 20 per cent increase in smolt production at its Loch Garry facility. CC reported that he has consulted the Lochaber DSFB who has been consulted on a similar application for Loch Sheil. Both have provided a consistent response which requests that specified criteria need to be met and issues addressed before increased production could be approved. The Ness DSFB has objected to the proposal subject to:

- An assessment by SEPA of the likely impacts of increased smolt production at the Loch Garry Freshwater Cage Farm on the trophic status of Loch Garry;
- Above Scottish Industry Standard containment measures adopted at the Loch Garry facility to reduce the likelihood of any escapes (these measures should extend to fish handling protocols); and
- Implementation of an independent genetic monitoring programme to establish any changes in genetic variation in the wild Garry salmon populations that may result from the proposed increase in productivity at the site.

CC explained that the proposed measures above are designed to act as a safety net, to protect against increased escapes.

CC provided an update on the Upper Garry Restoration Project. So far the 2016 supportive breeding programme has proven to be extremely successful with a 55 per cent survival rate. A 'Three Year Review of Supportive Breeding Programme' has been completed and presented in support the necessary consent for the 2017 smolt trapping operations. A meeting was held with the UHI Rivers and Lochs Institute in February 2017 to discuss the scope and cost of genetic analysis on the 2016 and 2017 samples. The 2016 fish will undergo their first 'stripping' this winter, egg targets were summarised. ASt and BM shared experiences of the challenges of getting reconditioned fish to feed.

CC reported that Scale sampling is going, but he would like to see an increase in the number of samples taken during the season, particularly on the River Ness and Loch Ness where the proportion of the total catch sampled is particularly low. He therefore intended to hold a 'Scale Sampling Workshop' in the near future to recruit more anglers to the scheme.

A trial spawning survey using a drone had been carried at a site on the River Ness by Marcus Valente. Marcus was happy to volunteer his help, but does not have a commercial licence. CC noted the cost for a commercial service could be £500 to £1,000 per day. BM noted that there could be

privacy and permission issues. CC agreed this is why appropriate licencing would be advised for any future work.

CC explained that access to a drone and qualified pilot for future redd at a number of 'index' sites across the Ness system would allow us to compare the relative densities of redds on a year to year basis. Secondly, the promotional value of the drone photography is very powerful. Drones could also be used to detect gill nets on the coast, survey habitat in more hazardous circumstances and to create promotional videos.

CC proposed that the board considers covering the cost of putting local pilot Marcus Valente (who carried out the trial on our behalf for free) through his commercial pilot licence training. The cost associated with this would be in the region of £1,300 (roughly the same cost of one day commercial pilot hire) and he would then carry out future drone surveys/filming free of charge with his own equipment..

In principle, the board approved the approach subject to the production of an agreed memorandum of understanding, including clarification of exact cost and ownership of the photography.

Action 14.05 – CC to Clarify cost and produce a formal agreement between Mr Valente and Ness DSFB relating to the provision of drone services for approval at the next meeting.

CC described a costed Salmon Netting Project 'concept note' has been prepared in partnership with local netting interests and the NBFT. This would involve netting, tagging and releasing salmon at Rosemarkie and monitoring recaptures by anglers. The concept note was submitted to the Scottish Government on the 7th February 2017 together with a request for a financial contribution. This has been chased three times with no response. AP reported that a Scottish Government/netting industry meeting has been set for 30th March 2017.

NC invited further questions. None were raised.

8. HEAD BAILIFF'S REPORT

JM reported further fresh fish that had been caught since the report including three on the loch and AG reported one more on the Moriston.

JM reported the arrival of unwanted visitors on the Moriston last night, representing an earlier appearance than normal.

CC noted that the Scottish Government's press release seems to have prompted a response, if Facebook posts are an indicator, and that there may be an increase in unwanted fishers who feel it is within their rights to fish without permission. CC noted that the large group visitors arriving by bus can be a resource drain and can cause an increased health and safety risk especially when drinking has taken place. AM noted that dead trout had been thrown into the loch and AG commented on the rubbish that can be left behind.

JM noted that the numbers of fresh fish spotted and caught are increasing.

CC noted that whilst there are still problems, but that the number of incidents is improving. Headway is being made.

9. NBFT SENIOR BIOLOGIST REPORT

NB introduced his paper and summarised. The Perils in Peril LIFE+ Project has now come to an end and the results have been good. Some additional funding has been secured from SSE to continue the encystment work on the River Moriston SAC.

There is a shortfall in funding that would mean that invasive plant control work may have to cease this year. Potential funding will be sought from the Scottish Landfill Community Fund, however like funding of £1,452 would be required. If the Ness contribution were allocated pro-rata then £1,045 would be required. The Beauly have agreed to provide the remaining £407 to cover the Beauly areas.

CC confirmed that this could be met from the approved budget and that this would be a stop-gap to ensure activities continue until longer-term funding can be secured. NC asked the Board whether they believe this is worthwhile. All agreed and approved the provision.

NB invited comments. None were raised.

10. CONSERVATION REGULATIONS

CC drew attention to the current closed times. The Scottish Government has indicated that it may seek to review closed times across Scotland this year. CC asked the board to consider whether (in light of recent observations relating to late spawning fish on the River Ness) it might be appropriate to consider pursuing a delay the start of the rod and line season on the River Ness by a fortnight, with a corresponding delay to the close date by a fortnight. BM questioned what the purpose of a closed season is.

The merits of moving it either way were discussed in terms of conservation interest, fishing interest and commercial interest. CC was given a mandate to pursue further investigation into revising the closed season.

11. WILD FISHERIES REFORM

CC summarised the paper and confirmed that amalgamated FMOs are not going to be enforced.

12. AOCB

NC invited any other business.

The Pearls in Peril video featuring the N&BFT project was shown: <https://youtu.be/bfdQfgVJyA0>

The meeting closed at 16:59