

NESS DISTRICT SALMON FISHERY BOARD Board Meeting Minutes

Time: 14:30

Date: 12th December 2019

Location: Telford Board Room, Inverness Caledonian Thistle Football Club

Present:

Michael Martin: Dochfour, Mandate (MM)
Angus MacGruer: River Oich, Proprietor (AM)
Billy Orrock: Inverness Angling Club (BO)
Gordon Armstrong: Ness Castle Lodges, Mandate (GA)
Graham Mackenzie: Co-option, Ness District Anglers (GM)
Janet Campbell: The Highland Council, Mandate (JC)
Ryan Rutherford: Ness Side, Mandate (RR)

In Attendance:

April Conroy: Board Secretary (AC)
Chris Conroy: Chief Executive/Clerk (CC)
Iain McMinn: SSE (IM)
Alastair Stephen: SSE (ASt)

Observing:

Harry Fraser: Inverness Angling Club (HF)
David McDonnell: Tomdoun, Mandate (DM)

Apologies:

David Sutherland: Ness Castle
Paul Williamson: River Garry
Steven Gray: River Moriston
Graeme Sutherland: Netsman
Andrew Steel: SEPA
David Haas: The Highland Council
Melanie Smith: UHI Rivers and Lochs Institute
John MacColl: Head Water Bailiff

1. APOLOGIES

MM introduced the meeting as chair. CC noted apologies as above.

CC noted that Walter Mackay has now stood down as the representative for Inverness Angling Club and that they have put forward Billy Orrock as his replacement. MM formally proposed approval of BO as IAC representative for on the Ness DSFB. This was seconded by GM.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MM invited comments on the following minutes:

- Triennial Election Minutes 12 September 2019
- Inaugural Board Meeting Minutes 12 September 2019
- Board Meeting Minutes 12 September 2019.

CC noted that the dates within the Inaugural Board Meeting Minutes 12th September 2019 had not been updated, in error, and that the updated minutes issued ahead of this meeting contained the correct dates.

MM invited comments. None were raised.

MM invited approval from those who were present on the day.

Triennial Election Minutes 12 September 2019 were proposed for approval by GM and seconded by IM.

Inaugural Board Meeting Minutes 12 September 2019 were proposed for approval by AM and seconded by JC.

Board Meeting Minutes 12 September 2019 were proposed for approval by GM and seconded by JC.

3. ACTIONS LOG

The Actions log was reviewed:

- **20.03 Review the current situation with regards to smolt escapement at Ceannacroc and report back on next steps.**
Actions progressing.
- **21.01 Follow-up with David Haas regarding legal advice for the outstanding debtors.**
Action now in progress with our own solicitors Harper Macleod.
- **21.03 Take responsibility for collecting data from the counters and reporting this via the fish counting system.**
Action complete – CC and GM underwent training in the use of the Mark 12 Fish Counter Software.
- **22.01 CC to contact Andy Jacobs from SSE to arrange a counter software training session to which GM will be invited.**
Action complete as above.
- **22.02 Provide standard fishing warning sign to IM so he can check whether it is appropriate in line with SSE's standard templates.**
Action complete – Template sent to IM by email.

- **22.03 CC Produce a final 2020 Salmon Conservation Policy based on the 2019 version.**
Action complete – Policy contained in 2020 Annual Report.

4. HEALTH AND SAFETY REPORT

CC reported there have been no RIDDOR reportable H&S incidents since the last meeting.

Chris Daphne (Fisheries Officer) currently has a tendon strain in his right elbow. His duties have been adjusted to ensure that this is given time to heal.

Additionally, John McColl has advised that he has a painful foot. This was previously thought to be a result of a pre-existing medical condition, but may possibly be the result of a broken toe from earlier in 2019 (a scan will be required to confirm). As a precaution, John McColl's duties have been adjusted.

5. GOOD GOVERNANCE

MM introduced the Good Governance Paper. CC highlighted that the following items will be updated in light of the recent triennial elections:

Complaints Procedures

CC asked board members to consider the latest agreed Version 1.3 - 05/12/14 of the Complaints Procedures and confirm that they are happy that it remains 'fit for purpose'. If so, it would be 'badged' as a new version, submitted to the Scottish Government and posted on Ness DSFB website.

MM noted that a great deal of work had gone into the procedures, all agreed that it was fit for purpose.

General Voting Procedures

CC noted the General Voting Procedures for the Ness DSFB. He drew attention to the revised section relating to the Quorum. Under Section 46(2) of the 2003 Act, a district salmon fishery board shall determine the quorum of meeting.

Following the recent triennial elections in September 2019 a new version has been produced to reflect the makeup of the new board. The quorum has been reduced from five to four, this reflects a decrease in the number of board members from eleven to ten (no co-option from the Ness & Beaully Fisheries Trust).

MM encouraged all Board Members and those in attendance to familiarise themselves with the voting procedures.

MM invited approval of the general voting procedures for the NDSFB. GM formally proposed approval, this was seconded by ASt.

Register of Members Interests

CC referred to the Ness DSFB 'Register of Members Interests'. Following the recent triennial elections in September 2019, all voting board members have been asked to complete a new Declaration of Financial Interests Form and submit to the clerk. This information will be included in a new version of the Register of Interests. Following approval at the next meeting, it will be submitted to the Scottish Government and posted on the Ness DSFB website.

Action 23.01 – CC to update Complaints and Voting procedures before publishing as appropriate.

Action 23.02 – CC to update Register of Interests once forms received from all board members and present at the March 2020 meeting for approval.

6. FINANCE REPORT

CC presented Management Accounts for the period from the 16th August to the 15th November 2019. These accounts show a net profit for the quarter of £33,899 compared to a planned profit of £675.

This significant variance is due to the fact that the Ness DSFB no longer makes a financial contribution to the Ness & Beaully Fisheries Trust (NBFT). CC is no longer acting as voluntary director for the NBFT, which means that its annual contribution back to the Ness DSFB (worth £15,000 per annum) has now ceased, however the Ness DSFB has taken on contract and project work formally led by the NBFT.

CC stressed that the Ness DSFB team are now delivering much of the trusts remit within the Ness system without any additional staff resource.

MM clarified that the accounts look like there is a profit made this quarter, however this is not the case. The Ness DSFB previously made a contribution to the NBFT to carry out work, for which they employed staff. With both of these staff are no longer with the NBFT, which means that they can no longer deliver this work. The payment remains with the board, which means that the board will now need to employ additional staff itself.

Furthermore, contract work that was previously carried out by the NBFT is having to be fulfilled by the Board, with no other option. This further reinforces the need for additional staff.

MM commented that the board is in a better position this year, due to the enhanced contribution from SSE. However, he reiterated that the board will struggle to deliver the obligations associated with the enhanced contribution without additional staff.

MM noted that the board had previously approved the intent to take-on additional staff. MM invited specific approval to recruit one full time staff member on a 1-year contract, plus one additional seasonal worker from 3 months, full-time.

GM proposed approval and MM has seconded this.

Action 23.03 – CC to recruit full time staff member on a 1-year contract, together with an additional seasonal worker on a 3-month full time contract.

ASt noted that SSE Beauly staff will be having their meeting on 17th January 2020 and CC has been invited to attend and give a presentation about the incident that took place on the Beauly Dam. AM asked that a similar presentation also be given to SSE staff on the Ness system.

CC noted that the Ness DSFB have purchased second hand electrofishing equipment as a result of an opportunity that arose to buy more modern, lightweight Smith Root equipment at a heavily discounted price.

7. ACTIVITY REPORT

Moray Firth Smolt tracking project

CC reported that a huge amount of data is currently being analysed by the team at the University of Glasgow. Initial results suggest higher than expected mortality in the freshwater reaches of rivers and much lower losses as they move out along the coast.

Across the seven rivers, they found that an average of 50% of tagged smolts went missing before they had reached the sea. CC report that initial indications are that freshwater survival in the Ness system was significantly lower than this. Further catchment specific information will be available shortly and we will use this to inform our fisheries management activities.

Moray Firth Adult Salmon Acoustic Tracking Project

CC reported that the data is currently being analysed by the University of Glasgow. They have agreed to complete this process by the end of March 2020 and will share any preliminary results with the Ness DSFB as they become available. CC reported that tagged fish have been detected in four river systems including the Ness, Beauly, Conon and Spey.

Upper Garry Salmon Restoration Project

CC reported that around 300 mature salmon were scanned, with 273 being suitable for 'stripping'. Unfortunately, a number of fish cannot be used due to a lack of genetic, loss of PIT tag or fungal infection. CC reported that he expected to be able to reach or exceed the target of 150,000 eggs.

Predator Management

CC reported regular sightings of a harbour (common) seal in the River Ness continue. Marine Scotland have encouraged us to continue with non-lethal options to deter the seal as the harbour seal populations are experiencing significant local declines to the east and north of Scotland.

Fish Rescues

CC reported that the Ness DSFB had completed a fish rescue on the Caledonian Canal as part of the lock gate replacement works at Fort Augustus. He went on to report that the team is currently assisting with a fish rescue in the canal as part of the Inverness West Link (Phase 2) works at Torvean Golf Club. A small rescue had also been completed on the Balantoul Burn in Fort Augustus in early October 2019 to facilitate work on the Loch Ness Regional Water Supply Scheme.

Fisheries protection

CC reported that a total of 107 inland and 19 coastal fisheries incidents had been detected across the Ness District in 2019. He said that the majority involved fishing for salmon or sea trout without legal right or written permission. CC reported that water bailiffs had also completed a joint patrol with Police Scotland.

Media

CC noted recent and potential future media coverage for information.

**IM left the meeting.*

Garry Dam Screens Project

ASt reported that new tailrace screens are currently being manufactured and will be replaced in February. This will allow smolts to be directed through the turbines at Garry Dam, rather than the fish pass, in an attempt to increase survival. ASt explained that the potential for smolts to be drawn into the compensation set is still an outstanding issue. SSE are working up a solution, but this is unlikely to be in place before 2021.

Red John Pump Storage Scheme

GM noted a number of observations and concerns that have been expressed regarding the Red John Scheme, including the impact on flows in the River Ness. CC reassured the board that these points had been raised with the developers and Scottish Government via written correspondence and meetings over the past few years.

8. VOLUNTARY WATER BALIFF POLICY

CC presented a proposed Voluntary Water Bailiff Policy. This included the pros and cons associated with the appointment of voluntary water bailiffs, liabilities, prerequisites to their appointment and operational restrictions.

CC invited comments. MM noted that there is a question of liability. After much discussion, it was agreed that the Ness DSFB should review their current insurance and seek to add the voluntary bailiffs.

CC agreed to organise refresher training for voluntary bailiffs in the New Year, which may need to be after the start of the season, but before mid-march.

Action 23.04 – CC to organise refresher training for voluntary bailiffs in the new year, before mid-March.

CC confirmed that the following water bailiff powers would not be used by any voluntary bailiffs - Detention, Search and Seizure.

The proposed policy for voluntary water bailiffs was presented for approval with agreement that this will be reviewed after one year. MM proposed approval and GA seconded.



9. CONSERVATION REGULATIONS

The conservation policy was proposed with no change from the previous year. AM reported that he believes that it is being adhered to on the section of river which he has an involvement with.

Proposed for approval by GM and seconded by GA.

10. AOCB

MM noted that at the Inverness Angling Club (IAC) 2019 AGM, a number of members had raised concerns about the wording of the minutes from the December 2018 Ness DSFB meeting. They felt that the comments relating to the 'Grade 1' status of the river at the time were potentially critical of IAC members.

MM clarified categorically that there was never any concern that the IAC was not fully signed up to catch and release, in fact the Ness DSFB feel that the IAC have shown a real commitment to the conservation targets.

ASt raised a proposal from SSE to dispose of the Invergarry hatchery. MM asked ASt to write to the board on behalf of SSE with a specific request so that the proposal can be fully considered and responded to.

MM invited any other business.

The meeting closed at **16.49**