

NESS DISTRICT SALMON FISHERY BOARD
MINUTES OF MEETING

Held at Ness Castle Fishing Lodge on 3rd May 2012 at 2.00pm

Present:

Andrew Duncan: Ness Castle, Chairman (AD)
Willie Armstrong: River Oich, Mandate (WA)
Annie Girvan: River Moriston, Mandate (AG)
Sandy Patience: Nettsman, Co Option (SP)
Bob Morgan: River Gary, representing Paul Williamson (BM)
Neil Cameron: Ness & Beaully Fisheries Trust (N&BFT), Co-option (NC)
Graham MacKenzie: Co-Option (GMcK)
Angus MacGruer: Co-Option (AMcG)

Michael Martin: Chief Executive/Clerk (MM)

In Attendance:

John MacColl: Head Bailiff (JMcC)
Keith Williams: (N&BFT), (KW)
Alastair Stephen: SSE(AS)
Andy Gregory: SSE (AG)
Richard Fyfe: SEPA (RF)
Rachel Murray: Minutes Secretary

Apologies:

Ryan Rutherford: Ness Side, Mandate (RR)
Don Mackay: Highland Council , Mandate (DMcK)
Nigel Fraser: Dochfour, Mandate (NF)

1. Approval of Minutes:

The minutes of the Board meeting held on 23rd February 2012 at Ness Castle Fishing Lodge were approved and signed by the Chairman without amendment.

2. Actions:

The CEO reported on the Actions from the meeting on 23/02/2012 as follows:

- 4.1 A meeting between the Bailiffs/Ghillies/Proprietors is to be organised
- 4.2 The CEO confirmed he has written to SEPA on Barriers on the Farigaig, the Holm Burn and Well Boats.
- 4.4 The CEO has corrected errors in assessments
- 5.1 The Board's staff requirements have been reviewed and will be covered in this minute in the 2012/2013 Budget review section
- 5.2 The bank account is now not required to be changed however the CEO confirmed that if the service received from the bank did not improve the Board would move to another bank.
- 6.1 The employment of a summer bailiff will be covered in this minute in more detail in the 2012/2013 Budget section.
- 6.2 It was agreed that it is now the right time to meet the Police Wildlife Officer. The CEO requested a summary of the outcomes of prosecutions and suggested speaking to the police and procurator fiscal to find out why prosecutions are not happening. KW advised that he believes the problem stems from a lack of communication between deputy's in Inverness and the procurators in wildlife crime who are based in Edinburgh. The system for charging poachers is flawed and needs to be addressed. (Action MM)
- 6.4 The CEO advised he has written to PF re Case IN 10005590 and the PF has replied to say that the case has been dropped.
- 7.1.1 KW advised he has still to complete outstanding generic work.
- 8.2 The CEO advised Mr Baldwin has been engaged and progress is being made on the website. The CEO also asked all proprietors to send information on their beats to him for inclusion on the website.
- 9 The CEO advised the formation of a working group with IAC. The IAC (DMcK) have been asked to set out terms of engagement and the Chairman and the CEO are to do the same then set up a meeting. The CEO also advised that a recent meeting with the angling club had been beneficial.
- 9 The CEO advised that he had decided not to circulate the note from meeting with HC/IAC at this stage. This had been agreed by DMcK on behalf of the IAC.

- 13 The CEO advised that he has responded to governments' aquaculture and fisheries bill supporting the ASFB response.
- 14 The CEO advised he has written to SSE re Balnacaan
- 15.1 The CEO advised he has confirmed funding to MFTI
- 15.2 The CEO advised that he had approached Allan Scott regarding press support. Mr Scott has declined due to a possible conflict of interest. The Chairman raised the need for a Press Officer and suggested Lawrence Ford, a member of the Angling Club, as a potential candidate. (Action MM)
- 15.3 There is no feedback on River Garry freshets as this should be undertaken by the Board and SEPA and not the proprietor. BM to liaise with Paul Williamson to confirm the situation (Action BM).
- 15.5 The CEO advised he had received a response from his letter to Dougal MacDougall and Mr MacDougall understood that the Board were not in a position to assist at the moment.

3. Health & Safety.

The CEO's report was noted and it was highlighted by the CEO that when Board members attend site visits appropriate footwear should be worn and if at all unsure of the best action to take the bailiffs should be consulted and members should act on their recommendations. It was also noted that all near misses must be reported.

4. CEO Report on Key Issues.

The CEO's report was noted. The following points received further discussion.

- 4.1 In a meeting between the Board (MM & KW), SNH and SEPA, the Board were advised by SEPA that Scottish Water's strategic review has concluded that Inverness may be short of water by 2025 and their proposed solution is to extract water from the River Farigaig and pump this in to Loch Duntelchaig.
MM advised the Board that in the discussions that followed the protection of grebes in Loch Ashie was discussed and it was noted that there have been no grebes in Loch Ashie for a number of years. MM reminded SEPA of the Board's concern about the Holm Burn possibly drying out – and if this happened to protect grebes that were no longer there, this would be totally unacceptable.

MM also reminded SEPA about the Board's concern regarding the barrier on the River Farigaig and should water be extracted this could make upward passage of fish even more difficult.

MM/KW both felt that this was a productive meeting and that such early and constructive dialogue with SEPA was very helpful.

- 4.2 The CEO undertook to circulate the letter from SEPA giving notice that it proposes to grant the application from Marine Harvest for an increase in output from its cages on Loch Garry. The Board have until 15th May 2012 to put in an objection however the objection needs to be carefully prepared. With regards to the issue of escapes from Marine Harvest's cages, NC added that escapes are Marine Scotland's responsibility and KW undertook to try to obtain a copy of the Kyle Board report to circulate. It was also noted that the rotary screw traps on Loch Shinn regularly pick up escapees and all escapees must be reported. (Action MM)
- 4.3 The CEO undertook to issue the full response from SEPA to the Board's letter of 27th February. It was noted the response was positive and dialogue is in flow. (Action MM)

5. Bailiffs Report

The Bailiffs report was a verbal report at the Board with points discussed undernoted:

- 5.1 The spring run had been somewhat disappointing. River Moriston's numbers were down to about one third of last year – but the River Oich's numbers were up. The River Ness had produced very little and so too for Loch Ness. The poor fishing on the Moriston could be due to the river remaining colder than the loch – if so a better May could result.
- 5.2 On poachers, JMcC advised that the individual who caught and killed kelts on 3 occasions has been banned from fishing anywhere in Scotland.
- 5.3 The investigation into the poacher at Ness Castle is ongoing however it is likely this will not go any further.
- 5.4 JMcC reported some health and safety issues in the form of near misses:
 - 5.4.1 JMcC was hit on the foot by an anchor while clearing the Weir
 - 5.4.2 JMcC was almost struck by a gate that started to open while he was clearing out a smolt pass.

6. Biologist Report

The Biologist Report was a verbal report at the Board with points discussed undernoted:

6.1 The habitat survey on the Lower Moriston was complete and surveys on the rest of the Moriston will continue. (Action KW)

6.2 KW advised that the plan to introduce smolts to the laid at Whin Park was progressing although it had to be noted that the Highland Council rangers have objected.

BM asked KW about the licensing arrangements for Whin Park. KW advised there is not a licence in place at the moment and that SEPA have raised this. It was suggested the smolts may be able to travel through the pipe work underneath the park area. KW undertook to investigate and prepare a report. (Action KW)

6.3 KW advised he is changing the procedure for electro fishing in particular on the Upper Garry, Upper Moriston and Holm Burn. Electro fishing will be a lot more targeted and will help the classification process with SEPA. KW will collate ideas and report at next Board. (Action KW)

6.4 Non-natives: KW reported on American Skunk Cabbage being found at Dochfour. KW would like to arrange a course for him and Nick to get their spraying certificates so they can deal with these issues. (Action KW)

7. 2012/2013 Budget

The Chairman tabled the draft 2012/2012 budget for discussion and the undernoted points were raised:

7.1 The assessments and proposed proprietors levy are to stay the same as previous 2 years.

7.2 SSE income is also to stay the same as the previous year's budget. The Chairman advised that SSE funding arrangements may change but not for 12/13 budget.

7.3 The CEO at this stage advised that Eric Verspoor had been invited to the next meeting however personal circumstances have delayed progress. If Dr Verspoor is not back in circulation in time for the next Board meeting the Board will have to review his engagement.

7.4 Admin expenses are straightforward and in line with previous year.

- 7.5 The Chairman advised that he had allocated £10K within the budget to a summer bailiff. This was discussed and it was agreed that £10K for 6 months was acceptable assuming the candidate that was selected had previous experience and has passed the bailiff exam.
- 7.6 The Chairman explained that the biggest change in the budget was the inclusion of a budget for special projects.
- 7.7 The Chairman felt that any surplus funds should be spent on improving the system and advised that the habitat survey for the system will highlight issues and show where improvements are needed.
- 7.8 The Chairman further advised that IAC habitat would include the work on the Whin Park laid. GMcK asked if the slalom course at Bught Park weir would impact on introducing smolts to the laid and KW advised that this should not have an impact.
- 7.9 The result of the budget was a circa £6K loss however the Chairman explained that this was due to a surplus being acquired this year and he did not want surpluses accumulating year on year.
- 7.10 The Chairman raised the Board funding disabled access at the Angling Club. GMcK asked if this should be funded by the Board or the Council and the Chairman undertook to write a paper and present this to the Council however it would be a good PR exercise if the Board paid for it. (Action AD)
- 7.11 The CEO tabled the idea of revisiting Fish Pal and if it is deemed beneficial for the Board to consider funding for proprietors to advertise on Fish Pal. The CEO stated that he has received negative comments from proprietors on the upper river stating that the Board are not helping enough and the catch and release scheme has not helped their fishing. The CEO suggested that paying for them to advertise here would be of benefit to helping them let their water. WA advised that if the Board paid for Fish Pal controls will need to be put in place. The CEO undertook to investigate prices and report at the next Board. (Action MM)
- 7.12 The budget and the £1.55 Levy was agreed by all.

8. Balmacaan / Corie Glas Hydro Scheme (Presentation by SSE)

Andy Gregory gave a presentation and outlined the plans for schemes at Balmacaan and Corie Glas. A handout of the presentation slides will be issued.

The Board expressed their thanks to the SSE for attending the meeting and making the presentation.

The Chairman suggested objecting to the Balmacaan planning application and the CEO advised he has approached Paul & Williamson to act on behalf of the Board.

9. AOB

There was no substantive AOB.

With there being no further business to discuss the meeting closed at 5pm.

Next meeting is to be held on 21st June, time and venue TBC.