



NESS DISTRICT SALMON FISHERY BOARD MINUTES FROM BOARD MEETING

Time: 14:15

Date: 18th December 2014

Location: Telford Suite, Inverness Caledonian Thistle Football Club

Present:

Andrew Duncan: Ness Castle, Mandate (AD) - *Acting Chair*
Alan Scott: Inverness Angling Club, Co Option (ASc)
Angus MacGruer: Loch Ness Anglers, Co-Option (AMcG)
Bob Morgan: River Gary, Mandate/Alternate (BM)
Graham MacKenzie: Anglers, Co-Option (GMcK)
Neil Cameron: Ness & Beaully Fisheries Trust (N&BFT), Co-option (NC)
William Armstrong: River Oich, Mandate (WA)
Alexander Patience: Netsman, Co Option (AP) - *Present for part of the meeting*

In Attendance:

Alastair Stephen: SSE (ASt)
April Conroy: Secretary, NDSFB (AC)
Chris Conroy: Chief Executive/Clerk, NDSFB (CC)
John MacColl: Head Water Bailiff, NDSFB (JMcc)
Nick Barker: Senior Biologist, NBFT (NB)

Observing:

James Robertson: Local Angler

Apologies:

Michael Martin: Dochfour, Mandate (MM)
Annie Girvan: River Moriston, Mandate
Ben Leyshon: Scottish Natural Heritage (BL)
Ken Gowans: Highland Council, Mandate (KG)
Ryan Rutherford: Ness Side, Mandate (RR)
Paul Williamson: Lower Garry, Proprietor (PW)

1. APOLOGIES

Apologies were received from those listed above.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the previous meeting were circulated and AD invited comments. AS noted that the third paragraph on page 3 should be amended to read: '*NB indicated that there was no evidence of this*' (not NC). AD asked whether, pending this amendment, the meeting minutes were approved. All agreed.



3. ACTIONS LOG

CC provided an update on the open actions:

1.02 NB has made contact with Mark Coulson regarding the second part of the genetic report, relating to the influence of Norwegian genes on the Ness and Beaulieu. It is currently being worked on.

2.02 ASt suggested a meeting in January 2015 regarding up-to-date procedures for access to SSE site.

2.03 AD suggested that Steven Young, a retired Sheriff, be asked if he would act as an arbitrator for complaints. All agreed.

3.02 AD encouraged all Board Members to provide declarations of interest.

4.02 CC requested any members still needing to provide documents to please do so at their earliest convenience.

4.03, 4.04 and 4.06 are ongoing.

4. H & S REPORT

There were no reportable incidents. There was however an issue with a hostile situation in which a bailiff was considered at risk. This has prompted a review of current operating procedures.

In consultation with the chairman, additional personal protective equipment has been ordered for use in higher risk situations. The River Dee have decided to take the same measures and both boards will be introducing the same equipment in the New Year. JMcC was praised for taking appropriate preventative action in the situation. CC noted that tactical communication is now taught at an annual bailiff training event carried out in collaboration with bailiffs from neighbouring fishery boards.

AS suggested that the use of chest cameras by Grampian police have been helpful in providing evidence. JMcC described a situation in which he believed that displaying of a badge and in particular a camera would have escalated the situation. CC described how dynamic risk assessing is vital and the need to respond to individual situations is vital. ASt noted the potential use of smaller, more concealed, badge-sized cameras. AD asked the board whether the use of cameras was appropriate to evaluate further. All agreed.

ACTION 5.01: CC to evaluate potential use of discrete Cameras in high risk situations.

BM asked about the use of the Spot GPS Trackers. ASt noted that without a 24hr control room the ability to raise the alarm was limited. AD noted that Castle Security or a similar firm may offer a control room monitoring service for a fee.

ACTON 5.02: CC to identify whether a private security service may be able to aid in the management of lone workers.

5. GOOD GOVERNANCE

The complaints procedure was reviewed. AD invited comments. None were raised initially (see below).

CC noted the register of interests. CC noted the importance that all members should provide this

Alexander Patience (AP) entered the meeting.

The voting procedure was reviewed. CC noted that a quorum capacity needed to be agreed by the Board. The number required for quorum was discussed and all agreed that a quorum of 6 was appropriate.

ACTION 5.03 – CC to reduce quorum on the voting procedures from 7 to 6.

AD invited comments on the complaints procedure again, given that AP had just entered the meeting. AP commented that he had taken legal advice. Subsequently, AP asked that the procedure take further account of the perspective of the accused. AD asked if AP's legal advisor had drafted anything. AP commented that he could.

ACTION 5:04 - AP agreed to ask his legal advisor to provide a proposed complaints procedure. CC would then put this to the board to approval (as well as Fish Legal), before any submission to the Scottish Government.

CC noted that a distinction should be made between complaints made about how a board member (or a member of its staff) discharges their duties, versus their activities outside of their role on Board. The scope of the procedure should exclude the latter.

6. DIRECTOR/CLERK'S REPORT

CC presented the provisional end of season catches for 2014. CC noted a change to one slide – Autumn MSW salmon catches were those caught between August and September. A total of 802 salmon were reported for the season, 14 per cent down on the previous year.

BREAK

ASt asked for further feedback on the Marine Scotland Fish Counter visit in October 2014. CC explained that the main feedback received to date was that the Ness is much larger in size than many of the rivers on which counters systems are currently installed. This presents considerable challenges in terms of practicality and cost.

ASc thanked CC for his presentation at the Inverness Angling Club AGM and noted that it has had an ongoing benefit.

CC noted that the work required behind the scenes to support our predator licence applications is substantial. There is an additional requirement this year to record efforts to scare, together with a quantification of the level of damage. ASt suggested that CC contact Simon McKelvey from the Conon DSFB to request access to the data from Achanalt regarding bird damage.

7. FINANCE REPORT

AD introduced the financial report. NC asked AD to explain the relatively high cash expenditure during the period. AD explained that this represented the use of funds to pay overheads whilst assessments are being collected. No further questions were raised.

8. HEAD BAILIFF'S REPORT

AP noted that he had recently spoken to Ben Leyshon (SNH) regarding predator scaring licenses. All agreed that Ben Leyshon should be invited to come and speak on the matter at the next Board Meeting.

Action 5.05 – CC to Invite Ben Leyshon to talk at a future Board Meeting about predator control.

9. NBFT SENIOR BIOLOGIST REPORT

NB invited comments and questions. AD drew attention to the decline of fry at the Corrimony Site on the River Enrick. Discussion followed during which NB explained that the site is actually more suitable for parr than fry. ASt suggested that the decline in rod/net catches is not down to reduced production of fry, parr and smolts in freshwater, but rather a lack of returning adults as a result of increasing mortality at sea.

ASc asked whether any educational events were scheduled for the Inverness area using the funding provided by IAC. NB confirmed that their funding had been ring-fenced for this activity and NB committed to organise this early in the New Year and confirm dates with ASc.

Action 5.06 – NB to arrange educational activities in collaboration with IAC early in the New Year.

10. 2015 CONSERVATION POLICY

CC noted that the conservation policy had been updated. CC noted that the sea trout guidelines were not policy, only guidelines. ASt clarified that the new statutory conservation measures do not extend to sea trout; they only relate to salmon. AD asked for approval of the policy. All agree the policy be approved.

11. WILD FISHERIES REVIEW – UPDATE

CC provided a brief introduction to the paper circulated. CC invited comments. AP noted that the current proposal for statutory spring conservation measures does not provide any compensation for the closed period. He considers this to be discriminatory to netsmen and his view is that the Scottish Government should provide compensation to the netsmen.

AP noted that the netsmen have historically undertaken a voluntary closed period of six weeks in order to further the protection of spring stocks. This voluntary action has now served to undermine the evidence required to provide evidence of the financial damage that the netsmen will incur as a result of the new legislation.

CC agreed to notify all board members as soon as he is consulted on a proposed total ban on the killing salmon (except under licence) in the new year.

Action 5.07 - CC to notify the board members when any substantive updates are received regarding the wild fisheries review.

12. SMOLT REARING PAPER

AD introduced the draft paper produced by CC and he asked the board whether this is something that they would like to see published. All agreed it was a worthwhile exercise. AD noted that there is more than one way in which the numbers could be calculated. ASt agreed.

The suggestion was that there are multiple ways to calculate the outcome. The overall conclusion might be the same for each, but the best way to protect against inevitable challenges will be to provide multiple calculations showing that they all provide broadly the same conclusion. ASt highlighted the notable differences between exploitation rates on different rivers systems and that considering all in the paper may make it over complicated. After much discussion, BM suggested that the paper should be published as it is, without further addition, as it would become cumbersome. All agreed the paper should be published in its current form and any comments should be collated.

Action 5.08 - CC to publish smolt rearing paper and collate comments.

13. AOCB

GMcK asked about the absence of the current nomination of the Highland Council representative Ken Gowans (KG). CC explained that KG had been in contact and was disappointed that the dates in 2014 had clashed with published highland council dates. He had very much wanted to attend to discuss current issues. As such he hoped that the dates for 2015 would be set after consulting the Highland Council calendar.

Discussion concluded that it would not be appropriate to change the status quo. The boards meeting schedule is broadly the same every year, with meetings held every three month on the afternoon of the middle Thursday of the month. Should a member be unable to make the dates as set in the Annual Report, the member should try to send a proxy with a written mandate. All members supported that they would be very keen to see a Highland Council representation at future meetings.

CC noted that the Public Meeting was scheduled for the evening of Thursday 22nd of January 2015 at Inverness Caledonian Thistle. CC noted that this would include an introduction to the Annual Report and Accounts, a review of work carried out by the board in 2014, a presentation from the NBFT and a guest speaker. All agreed. Potential guest speakers were discussed, including Eric Verspoor (UHI). AD suggested somebody from Marine Harvest for 2016 public meeting.

AD invited AOCB. No further items were raised.

THE MEETING CLOSED AT 16:35