

Subject: Ness District Salmon Fishery Board
Date: 17 March 2022
Location: By Video Conference via Zoom
Attendees: Neil Cameron, Mandate, Ness Castle Lodges (NC)
Thomas MacDonell, Wildlands Ltd, Dochfour (TM)
Graham Mackenzie, Co-optee Ness District Anglers (GM)
Angus MacGruer: River Oich Proprietor (AM)
Janet Campbell, Mandate, Highland Council (JC)
Steven Gray, Mandate River Moriston (SG)
Chris Bruce, Co-optee Inverness Angling Club (CB)



In attendance: Alastair Stephen, SSE (AS)
David Sutherland, Ness Castle Lodges (DS)
Bob Morgan, River Garry
Brian Shaw, Board Director (BS)
John MacColl, Head Bailiff (JM)
Chris Daphne, Fisheries Biologist (CD)
Alastair Campbell, Clerk (AC)

MINUTES

ITEM	ACTION OWNER
1.0 Apologies and introduction	
1.1 NC introduced Chris Bruce to the meeting as the new Co-optee to the Board on behalf of Inverness Angling Club, replacing Harry Fraser. NC also formally introduced Brian Shaw, the Board's new Director and Alastair Campbell of Bidwells (AC) who had taken over as Clerk to the Board.	
1.2 Apologies were recorded from Paul Williamson, Andrew Steel (SEPA), and Scott MacKenzie, Ness-side.	
2.0 Approval of minutes from previous meeting	
2.1 The minutes of the NDSFB Board meeting of 16 December 2021 were approved by those present. A final copy of the minutes to be published on the Board's website.	AC/BS
3.0 Actions log	
3.1 28.01 – Sept '21 - <i>The CEO/Clerk to add the issue of smolts becoming trapped in the Caledonian Canal to future action logs.</i> BS confirmed that he had made initial contact with Scottish Canals to discuss this matter.	
3.2 28.02 – Sept '21 – <i>The CEO/Clerk to arrange Annual Public Meeting, Annual Report and Annual Meeting of Qualified Proprietors.</i> The date of an Annual Public Meeting to be discussed as part of the agenda.	

- 3.3 28.05 – Sept '21 – *MM to confirm where the £8,000 sits within the management accounts.*
BS confirmed that the £8,000 received from Ness and Beaulieu Fisheries Trust had been allocated to help pay for the CBEC report.
- 3.4 28.07 – Sept '21 – *Foyers and Farigaig to be included in future survey programs.* Underway
- 3.5 28.08 – Sept '21 - *Board to make a decision regarding the employment of a new fisheries assistant as soon as possible.* A trainee fisheries officer has been engaged on a short-term contract, funded by Nature Scot.
- 3.6 28.09 – Sept '21 - *A new name is required to replace CC on the licence. The named licence is responsible for ensuring the licence is carried out legally.* Licence now reissued in BS's name. BS has issued relevant authorisations to operatives in the system.
- 3.7 28.10 – Sept '21 - *Review and update existing sea trout guidance and make available at the places where permits are issued.* Outstanding. **BS**
- 3.8 28.12 - Sept '21 – *Administrative matters to be addressed following CC's departure.* Completed. New office arrangements on the meeting agenda.
- 3.9 29.05 – Dec '21 – *NC to arrange purchase of Isuzu pick up from Corrie Motors based on the finance package offered.* Completed. Vehicle purchased, finance arranged through Virgin Money.
- 3.10 In response to a query from TM, BS explained the background of the licence to control sawbill birds for the protection of juvenile fish. TM indicated that Wildlands Ltd was not in favour of this approach. It was noted that no licence to control should take place on the Wildlands Ltd beats of the river.
- 3.11 In response to a question from AM, BS confirmed that the 2021 Atlantic Salmon Trust smolt tagging report was not yet available, but that BS was chasing AST who had cited staff changes for the delay.
- 3.12 AS noted that SSE Payments Team would require new address details for the Board in order to arrange for payment of SSE's contribution.
Action – BS to provide formal notification of new address to SSE. **BS**
- 4.0 Health and Safety report**
- 4.1 BS confirmed that he had reviewed the Board's health and safety manual. He proposed to draw up a plan for staff training and present this to the Board meeting in June.
Action – BS to prepare a health and safety training plan. **BS**
- 5.0 Good Governance**
- 5.1 The Clerk was asked to forward a register of interest form to Chris Bruce for completion.
Action – Clerk to forward register of interest form to Chris Bruce. **CLERK**
- 6.0 Finance report including draft budget for 2022/23**
- 6.1 A finance report with quarterly management accounts and summary balance sheet up to 15 February 2022 had been circulated prior to the meeting. NC noted that the management

accounts up to that date showed a healthy operating profit of £64,469. There were no questions on the accounts.

6.2 A draft cashflow forecast for financial year 2022-2023 had been circulated prior to the meeting. BS noted that since initially drafting, Marine Scotland Science (MSS) had confirmed that the NEPS programme would not be run in 2022, with the loss of £15,000 of income to the Board. This was reflected in the projected cashflow loss of £14,903. BS reported that FMS was considering other potential means to provide project funding to fishery boards including through the adult fish sampling programme, however this was still to be confirmed.

6.3 BS noted that the costs of the new vehicle were included at £875 per month and that final payment on the older vehicle used by JM would be in September 2022. It was noted that the van used by CD was now five or six years old with 93,000 miles recorded.

Action – BS to investigate a potential replacement van with possible delivery after September.

BS

6.4 TM queried why the level of outstanding proprietor levies was so high at over £27,000. NC reported that this was a combination of short-term debt, including one or two larger proprietor levies that were being actively chased and some long-term debt of around £10,000, a significant proportion of which was cumulative debts over a number of years from the same proprietors. The Board was in agreement that all proprietors should be expected to pay the levies due and that longer term debts should not be written off.

Actions:

For current debts, further dialogue with the relevant proprietors should be undertaken.

NC/BS

For older longstanding debts a formal legal demand should be drafted by a lawyer and issued to the relevant proprietors.

NC/BS/AC

A review to be undertaken of the dates on which levy demands are issued to proprietors.

NC/BS

6.5 As a new member of the Board TM questioned the background to the contributions received from SSE. AS explained that this historical arose from the Act of Parliament that instigated the hydro schemes. Originally intended to contribute to the cost of stocking, payment had evolved over time and the current principal project was the River Garry restoration plan. When asked if other schemes might be considered, AS confirmed that, where there was a perceived impact from hydro schemes, and mitigation would be beneficial, in principle, SSE might consider proposals. AM asked whether a project looking at restoration above the Cuaich Dam should be looked at. AS reported this had been discussed previously with C Conroy and deemed not feasible due to disproportionate costs and poor habitat. AS reported that SSE was also providing data on the water flows at the Dochfour sluice gates and that SSE had concerns over the potential impact of additional pump storage proposals on Loch Ness. BS confirmed that any other potential projects would continue to be considered.

6.6 The proposed cashflow budget for 2022-2023 was approved by the Board.

7.0 River Ness habitat restoration study

7.1 BS introduced the report that had been received shortly before the meeting on 9 March from CBEC. CBEC had been commissioned to review the impact of man-made modifications on the River Ness and identify potential projects for habitat restoration. Insufficient time had been available to analyse fully the report prior to the meeting, however BS outlined some key points. CBEC had produced a table of potential projects and ranked these based on the potential

benefit and also on deliverability. Examples of projects that might deliver highest benefit were renaturalisation of the various former mill lades, or identifying improvements in sediment transport through the river environment. More challenging projects identified included potential removal of the Dochfour weir. BS enquired how the Board would wish to review and take forward the report findings and suggested the possible formation of a sub group to consider this.

7.2 During discussion, Board members and attendees made the following comments:-

- It was suggested a report needed not only to look at habitat but also water management together with smolt migration past the canal entrance.
- Sediment transport above and below the weir was a complex subject and SEPA would undoubtedly require a full assessment before any works could be undertaken.
- Assessing habitat carrying capacity for juvenile fish was as important. Where sections of riverbed had been artificially deepened, potential juvenile habitat had been lost and this ought to be taken into account.

7.3 **Action – BS to review the report in detail and return to the Board with recommendations as to potential projects to be considered further.**

BS

7.4 AS suggested that SSE could offer assistance from their in-house engineers in assessing projects.

7.5 JC indicated it might be worth approaching Highland Council for assistance once potential projects had been identified.

Action – BS to forward a copy of the report to David Haas as a trigger to dialogue with the Council.

BS

8.0 Minute of Agreement between SSE and NDSFB

8.1 A brief report had been circulated to the Board prior to the meeting confirming that an initial draft copy of a Minute of Agreement had been received in February, reviewed by the Chairman, the Director, and Harper Macleod and returned to SSE. AS confirmed that the draft Agreement was currently in circulation within SSE. He anticipated this would be re-circulated to the Board soon as a final draft for discussion and confirmation.

8.2 Board members commented that the terms of a final Agreement should not only reflect the current situation but also allow new projects to be considered and agreed in future. It was felt important the Agreement should not be too stringently based on historic precedent.

9.0 Activity report

9.1 BS spoke to the Activity Report that had been circulated to the Board prior to the meeting. The following items were highlighted by BS:-

- Catch and release report for 2021 had been good.
- BS was looking to firm up volunteers for a sawbill bird count scheduled for 12 April.
- A survey of the River Ness undertaken by drone had indicated good redd counts despite the lower than average catches in 2021.

- Initial results from the 2021 tagging associated with the Atlantic Salmon Trust Moray Firth tracking project indicated that there had been a 33% loss of smolts in Loch Ness. No information was available for losses in the canal. 31 smolts (out of a total of 125) had been tagged but then had failed to leave Loch Oich. The Board discussed the merits/demerits of tagging smolts and assessing predation by pike. BS stated it was important to understand losses in the wider context as part of the missing salmon project, but that the intention was not to cull pike.
- Following changes to the licensing regime, BS confirmed a renewed seal control licence had been applied for.
- As previously mentioned BS confirmed that a trainee fisheries officer had been taken on and that funding of over £7,000 would be received from NatureScot towards this cost.
- BS highlighted he had some potential concerns about the fish pass newly installed at the hydro plant at Torvean. This had been raised with Highland Council and BS had requested copies of the plans of the fish pass.

9.2 In addition to the items mentioned in this report, BS also reported that he had an initial conversation with the netting proprietors in the Firth, who had concerns over the lack of available compensation for non-fishing, together with a more general lack of fish. Further dialogue will be required and BS will refer it to the Board concerning this.

Action – BS to report back to the Board on netting arrangements for 2022.

BS

9.3 BS indicated he was keen to increase scale sampling across the catchment, particularly on the River Garry. This could be used as a backup to fish counter data.

9.4 AS updated the Board on SSE's attempts to resolve issues with the Mark 12 fish pass counters which were known to be under-counting fish. Early indications were that the AI counting project was producing promising results and that this would be installed at a number of sites around Scotland this year. In addition, Mark 14 counters were likely to start being rolled out this summer.

10.0 Bailiff's report

10.1 A written bailiff's report had been circulated prior to the meeting.

10.2 JM enquired whether the Inverness Angling Club would be willing to chase and scare sawbill birds as part of a licence arrangement. It was acknowledged that lethal shooting would not be possible on Club waters.

Action – JM to liaise with CB and Angling Club members

JM

10.3 JM reported that he had been invited to join a Moray Firth bailiff group. Board members had no issues with this.

10.4 IFM training. It was agreed JM should approach Keith Williams to re-engage on this subject.

Action – JM to speak to Keith Williams on IFM training programme.

JM

11.0 Other matters

- 11.1 As the Annual Public Meeting had to be postponed in January 2022 once again due to concerns over Covid, it was agreed that this should potentially be deferred for a further year until January 2023, however current guidance issued by FMS should be reviewed.
Action – BS/AC to review the current guidance on public meetings. **BS/AC**
- 11.2 Appointment of Accountant. AC confirmed he had had initial discussions with two firms of local accountants. From this, it appeared that an independent examination of accounts might well be possible for less than £1,000pa. A written proposal was awaited.
Action – AC to forward a written proposal once received. **AC**
- 11.3 Appointment of Press Officer. The Board agreed that in future any requirement for PR services should be sourced on an ad hoc basis.
Action – NC to follow up with Bill McAllister. **NC**
- 11.4 Dochfour Business Centre office lease. NC confirmed that a lease had now been signed for an office in the Dochfour Business Centre, giving the Board a permanent base.
- 11.5 Ness and Beaully Fisheries Trust. NC and BS were reconsidering if it was wise to wind up NBFT as it was a possible route to sourcing other funds as a result of its charitable status. BS reported that the Trust arrangement was common place for most Boards and potentially worth keeping.
Action – NC/BS to discuss with Beaully DSFB and revert to the Board with a proposal. **NC/BS**

12.0 Any other competent business

- 12.1 Invergarry Hatchery. BS indicated that SSE might potentially have an alternative use for the mothballed hatchery at Invergarry and had approached the Board to seek agreement for this alternative (temporary) use as a site compound/base for the proposed Coire Glas hydro development. It was anticipated that initial ground investigation works might start this summer with full build commencing 2024 and possibly lasting as much as ten years. The site is owned by SSE, but under an obligation to be used as a hatchery on behalf of NDSFB. It was confirmed that a more formal update or proposal was awaited from SSE but the Board would be interested in discussing further and would keep options open for now.
- 12.2 The Board discussed staff salary reviews in private session.
- 12.3 A vote of thanks was proposed for Alastair Stephen, who was retiring from SSE after 26 years. The Board expressed their gratitude to his many years of assistance in contribution to Board affairs.
- 12.4 It was confirmed that the next Board meeting would be held on the afternoon of 16 June 2022.
There being no further business, the meeting was closed.