

Subject: Ness District Salmon Fishery Board  
Date: 16 March 2023  
Location: An Lochran, Inverness Campus and by video conference  
Attendees: Neil Cameron, Mandate, Ness Castle Lodges (NC)  
Thomas MacDonell, Mandate, Wildlands Ltd (TM)  
Graham Mackenzie, Co-optee, Ness District Anglers (GM)  
Angus MacGruer: River Oich Proprietor (AM)  
Paul Ryder, Mandate, Ness-side (PR)  
Donald Mackay, Inverness Angling Club representative (DM)



In attendance: Victoria Pritchard, UHI (VP)  
Brian Shaw, Board Director (BS)  
John MacColl, Head Bailiff (JM)  
Alastair Campbell, Clerk (AC)

## MINUTES

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| ITEM  | ACTION OWNER |
|---|--------------|
| <b>1.0 Apologies</b>  |              |
| 1.1 Apologies were recorded from Chris Balance, Chris Daphne, David Sutherland.   |              |
| 1.2 The Chairman reported that since the last Board meeting the representative of Loch Ness Anglers, Malcolm Riddell had tendered his resignation from the Board. He introduced Donald Mackay, who had been asked by Inverness Angling Club to be their representative to the Board, following Chris Bruce's decision to step down. |              |
| <b>2.0 Approval of minutes from previous meeting</b>  |              |
| 2.1 The minutes of the annual meeting of qualified proprietors held on 15 December 2022 were approved by the Board members present.   |              |
| 2.2 In relation to item 12.2 of the minutes of the NDSFB Board meeting also held on 15 December 2022 it was noted that an amendment was required to the minute relating to the Board's conservation policy. BS to forward an amended suggested text to AC for incorporation in the minute.  | <b>BS/AC</b> |

*Subsequently, the following amended text has been included in the minutes of 15 December 2022: - "It had been noted by several Board Members that an upper river proprietor had been letting fishing in the upper Garry in October through Fishpal. During discussions it became clear that other proprietors also allowing fishing into October. BS was of the opinion that breaches of the long-standing agreement concerning the cessation of angling in the catchment upstream of Dochfour Weir at the end of September were limited, and that the voluntary season end was generally well-respected. AM stated, that he was in favour of the continuation of the current agreement, but that it should apply to equally to all proprietors in the upper Ness system including Loch Ness in the interests of fairness. It was agreed to consider this, along with the overall policy ahead of the 2024 season."*

### 3.0 Actions log

3.1 28.01 – BS reported that some progress had now been made with Scottish Canals as reported in more detail on page 5 of the Director’s Report circulated prior to the meeting.

3.2 28.05 – outstanding debts. As a result of one significant outstanding debt, one proprietor had been asked not to attend Board meetings at present. Discussions in relation to that debt were currently ongoing at the time of the meeting and it was hoped that matters might be brought to a positive conclusion in the short to medium term. **Action – It was agreed that a solicitor’s letter should also now be sent to back up the recent correspondence.**

It was also suggested that it be confirmed whether the fishery, which it was understood was currently for sale, was currently held by a company or not and whether it is the company that is for sale and corresponding whether any debt will be transferred as part of the fishery sale.

BS/AC

#### **Action point**

3.3 30.08 – *JM to liaise with CB and angling club members relating to scaring sawbill birds.* This item remains outstanding.

3.4 31.05 – BS confirmed that the Isuzu pick up had been replaced and that a second hand (10 month old) Navara pick up had been purchased in its place.

### 4.0 Health and Safety report

4.1 There had been no incidents to report. A report by the Director had been circulated prior to the meeting and was taken as read.

### 5.0 Good Governance

5.1 The register of interests for Board members to be updated following recent changes to Board membership. **Action Point**

AC

5.2 It was confirmed that a copy of the Board’s annual report for 2022 had now been sent to the Scottish Government.

### 6.0 Finance report

6.1 A copy of the Board’s finance report had been circulated prior to the meeting. BS highlighted that the management accounts up to 15 February 2023 showed a surplus of £61,844. He confirmed that it was anticipated that the Board would end the financial year in May 2023 with a surplus.

6.2 It was suggested that A9 Accountancy be asked to append a note of the annual budget figures to the management account to track any variance between actual income and expenditure and budget.

BS

6.3 A draft budget for the financial year 2023/24 had been circulated to Board members prior to the meeting. BS highlighted the following points from the budget:

- Office rent remained fixed, though telephone costs were higher than ideal and it was hoped that this might be renegotiated or an alternative contract entered into once the current contract expired.

- Costs were included for an upgrade of the Board's internet facilities.
- £10,000 had been included for a consultancy fee in relation to the Upper Garry Nature Restoration project delivery.

6.4 TM asked what the current contract arrangements were in relation to SSE's financial contribution to the Board. BS confirmed that discussions were ongoing concerning a formal written contract and that an updated draft was awaited from SSE, but that at present there were regular ongoing meetings between Board representatives and SSE with no significant current issues. Overall there remains a positive working relationship between the Board and SSE. BS referred to a separate matter to be discussed later in the meeting in relation to the Invergarry Hatchery, which would need to be considered in relation to any updated agreement with SSE. This is referred to further in the minute below.

6.5 It was suggested that the Board's financial year end be amended from 15 May to the end of a calendar month in order to make accounting simpler. It was agreed this should be discussed with A9 Accountancy. **Action Point**

BS

## 7.0 Director's Report

7.1 BS spoke to the Director's Report that had been circulated to Board members prior to the meeting. The following items were highlighted:

7.2 A date for a meeting with the Cabinet Secretary for Rural Affairs was awaited, though in principle this had been accepted.

7.3 Good progress was reported in relation to fundraising for the potential buy out of the netting stations in the Inner Moray Firth. NC noted with gratitude the generous offers that had been received from proprietors to date. It was confirmed that a suggestion had been made for an application to the Inverness Common Good Fund to assist with the purchase and that a submission had been made to this end. Jamie Whittle of R&R Urquhart had been appointed to act on behalf of both the Ness and Beaully District Salmon Fishery Boards / Ness and Beaully Fisheries Trust in relation to any purchase. It was confirmed that the intention was to buy any extant netting business and not just the property rights.

7.4 In relation to the extensive work currently ongoing in relation to proposed pump storage hydro schemes, BS confirmed that he would be requesting assistance from individual Board members to join a working group following the meeting. **Action Point.** BS reported that the concerns of the Board had now been raised with Marine Scotland and have also been the subject of an extensive conference call with the Energy Consents Unit of Scottish Government, all as detailed in the Director's Report already circulated. Assistance had also been requested from Fisheries Management Scotland. It was noted that the ECU had confirmed that an Environmental Impact Assessment will be required and it had been acknowledged that this would need to consider the cumulative impact of all schemes in Loch Ness. It was anticipated that a formal application for the proposed Loch Kemp scheme would be submitted by the developer later in 2023.

BS

7.5 SSE / Invergarry Hatchery – Further to the comments in the Director's Report, the Board discussed at some length the proposal from SSE to demolish the Invergarry Hatchery facility and the offer from SSE to the Board of a hatchery facility at Contin as an alternative, if required. It was noted that SSE had been requested to submit a formal proposal to the Board in relation to this matter. This was awaited. The Board discussed the implications of the disposal of the hatchery in the context of the original terms of the Hydro-Electric Development (Scotland) Act

1943 and in relation to a more recent 1992 Minute of Agreement between Ness DSFB and Scottish Hydro Electric. It was agreed that any amendment to these arrangements should be tied into a new legal contract with SSE (referred to above in relation to the annual contribution to the Board). It was also agreed that further legal advice should be obtained by the Board concerning the obligations held by SSE to provide a hatchery facility and the implications of any amendments to these obligations. **Action Point**

NC/BS

- 7.6 BS highlighted that SSE would be installing new artificial intelligence counters in the fish passes on the River Garry and River Moriston in 2023.
- 7.7 BS reported that the Board had appointed a graduate, Calum Kitchens, for a six month contract this summer under the NatureScot funded graduate placement scheme. Calum has a first class degree in biological geography. His placement will be largely funded by NatureScot with a small cost to the Board of around £2,000.
- 7.8 BS highlighted the recent report published by Marine Scotland concerning the 2018-2021 National Electro-fishing Program (NEPS). This report appeared to highlight a big difference in juvenile fish densities between hydro and non-hydro rivers, although there may be other factors affecting results. Further details are given in the Director's Report.
- 7.9 BS highlighted the invitation that was received for applications for funding to the Salmon Scotland Wild Fisheries fund. This fund had been set up by the aquaculture industry. Following discussion by the Board it was agreed not to apply to the fund at present as there were no specific items identified for an application and there may be some concerns relating to public relations around this.

## 8.0 Proposal for promotion of angling on the Ness – Fishpal

- 8.1 Following discussion it was agreed by the Board that the use of Fishpal should be trialed for one year to ascertain the benefit to the river district and proprietors in promoting angling. Overall this was anticipated to be cost neutral to the Board, as any annual subscription charge would likely be offset by donations received from Fishpal out of any potential letting income received. **Action Point**

BS

## 9.0 Activities Report

- 9.1 A report on recent activities had been circulated to the Board prior to the meeting. No comments or queries were raised by Board members in relation to this report.

## 10.0 Bailiff's Report

- 10.1 A full bailiff's written report had been circulated to Board members prior to the meeting. This was taken as read.
- 10.2 JM reported that the river had been quiet over the last two to three months until the current week of the meeting, when there had been an increase in illicit activity noted.
- 10.3 JM also reported that he was currently in the process of gathering volunteers to man mink traps this year.
- 10.4 The Board discussed whether any occasional seasonal help might be required for the bailiffing team. JM indicated that further help would be useful for a limited number of days during the height of the season but that overall it was anticipated the existing team should be able to cope. He noted that the Beaully DSFB bailiffs have indicated willingness to assist with patrols

JM/BS/NC

of the estuary. JM, BS and NC to discuss further any assistance that might be required. **Action Point**

**11.0 Any other business**

- 11.1 AC updated the Board on a recent conversation with the local Assessor's Office concerning revaluation of rateable values for fisheries in the district. He confirmed that updated valuation notices were likely to be issued to proprietors soon. It was noted that this may have implications for the distribution of the Board's assessment on proprietors to be issued later in the year.
- 11.2 It was confirmed that the next Board meeting would be held on 15 June 2023.
- 11.3 There being no further business, the meeting was closed.