

# Consultation on proposed conservation measures to introduce a licensing system for killing wild salmon in Scotland



## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response to ensure that we handle your response appropriately

### 1. Name/Organisation

#### Organisation Name

Beauly District Fishery Board

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

#### Surname

#### Forename

### 2. Postal Address

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### 3. Permissions - I am responding as...

Individual / Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes  No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

Yes  No

**following boxes**

Yes, make my response,  
name and address all  
available

**or**

Yes, make my response  
available, but not my  
name and address

**or**

Yes, make my response  
and name available, but  
not my address

**(d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

**Please tick as appropriate**

**Yes**

**No**

# Consultation Response

## **Beauly District Fishery Board**

Date: 29 April 2015  
Our ref: 111/63  
Subject: Consultation On Proposed Conservation Measures To Introduce A Licensing System For Killing Wild Salmon In Scotland

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### **Introduction**

The Beauly District Fishery Board covers the Rivers Beauly, Glass and Farrar. The catchment extends from Glen Affric in the south-west to the mouth of the River Beauly at the Beauly Firth and includes Glen Cannich, Glen Strathfarrar and Strathglass. There is extensive hydro-electric development on the system, including principal dams at Loch Monar and Loch Mullardoch, Aigas and Kilmorack. The 10-year average annual salmon catch for the District (rod & line) is 1,235. There are no operational netting stations within the District.

**Q1** *Do you agree with the proposal that Scottish Ministers introduce, for conservation reasons, a ban on killing wild salmon by all methods except under licence? If you disagree, please provide suggestions for alternative measures which, within the context set out in the consultation paper, would deliver the objective of a more robust regulatory framework to control killing of salmon to enable conservation objectives to be met.*

The Board recognises that the proposals may have some potential benefits in terms of both increased ability to trace illegally caught salmon and ensuring a sustainable level of exploitation from mixed-stock fisheries in particular. However, on balance, the Board is opposed to the proposals for the reasons outlined below. These concerns relate to both the principle of the proposals and operational issues. The latter are dealt with at Question 2 below.

As stated above, the Beauly District comprises rod and line fisheries only. For a number of years the Board has produced a Conservation Policy encouraging Catch & Release (C&R) on voluntary basis. In recent years rate of release has been over 80% of salmon caught.

The conservation benefits of introducing licenced killing by anglers are not proven. Permanently removing the inherent link between fishing and wild salmon as source of food will potentially harm angling in long term. This runs counter to Govt. aims as outlined in Wild Fisheries Review. It may also give added ammunition to those opposing the sport as 'cruel'. Therefore, we would only agree to this as an interim measure, with provision for assessment of impact, both economic and on salmon populations.

The proposal is to remove property rights in perpetuity without compensation to owners. Further, it is proposed to charge proprietors thereafter for a licence. Anglers within the District have expressed strong opposition to this, with suggestions this has the potential to lead to claims under ECHR.

The Board would suggest the following alternative matters to be considered as an alternative: -

- we would welcome the introduction of strict quota control on mixed-stock fisheries (netting stations), something that is long overdue.
- Control of predators, particularly seals and sawbill ducks, remains a concern. The Board is involved in the Moray Firth Seal Management Plan and Sawbill Management Plan. We do not believe that salmon populations are given sufficient weighting by Government agencies in comparison to these other species
- Enhanced efforts are made by the Scottish Government to play a full role in international treaties with

# Consultation Response

Consultation On Proposed Conservation Measures To Introduce A  
Licensing System For Killing Wild Salmon In Scotland  
28 April 2015

the aim being to introduce a full moratorium on commercial exploitation of salmon stocks. This may require far greater control of coastal mixed-stock fisheries in Scotland, as outlined above ;

- better measures are introduced and enforced to reduce/eliminate illegal fishing for salmon at sea

**Q2** *Do you agree with the basic outline of how the licensing system would operate? Please provide suggestions, and rationale, if you consider it should operate in a fundamentally different way.*

The Board would endorse the comments made by ASFB in relation to the practicalities of the proposed scheme.

It is very difficult to give a quantitative answer, given the lack of information on how such a scheme will be assessed and operate. In particular, how will conservation limits be established for each catchment? We have concerns over how licence quotas will be calculated, particularly where there is dearth of information on local salmon populations. There is a clear danger that until further research or modelling is done, any quota will be arbitrarily awarded.

As highlighted by ASFB, there appears to be no provision for District Fishery Boards to have any input into the issue of licences within their District. Given the statutory duties placed upon such Boards, this appears to be a clear omission.

The Board is unclear how the proposed licence scheme will cater for applications from different proprietors in a fair and equitable manner. Any suggestion of a 'first-come, first-served' allocation will quickly lead to the scheme being discredited in the eyes of proprietors and anglers. For those proprietors operating syndicates or letting rods, quotas will be impractical, due to the unpredictable nature of fish runs and catches; allocation between various interests will lead to disparities. The proposals will place an impossible burden on those administering, advertising, or renting fishing and on ghillies. This burden will inevitably result in more expense and cost, making it less likely that affordable fishing will be available.

Concerns have been expressed to us as to how a licence system would interact with the Board's existing Conservation Policy. At present anglers are urged to return their 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> fish etc., with additional stipulations for hen fish. The Board would be concerned that a licence quota would effectively encourage anglers to retain fish inappropriately, e.g. 1<sup>st</sup> fish or large hen fish, thereby increasing exploitation. Overall, this could have a negative, not positive impact on salmon conservation.

We are also concerned that a licence authority will seek to drive down quota year on year, especially if there is poor uptake in one year due to poor fishing conditions.

We would question what may happen where a fish is bleeding or damaged, but no licence is available? Will such fish have to be returned dead or dying and what are the potential implications for disease control where red vent syndrome/UDN etc. is discovered?

**Q3** *Do you agree that the ban on killing and associated licensing system for Atlantic Salmon should be accompanied by regulations prohibiting use of certain fishing equipment which is liable to cause greater harm to the fish? What other equipment, other than that set out at paragraph 24, do you consider should be included and for what reason (please provide evidence for your suggestions if possible)?*

The Board's Conservation Policy already recommends that barbed or treble hooks should not be used. We would therefore not be opposed to such measures, although the potential conservation benefits are likely to be

# Consultation Response

Consultation On Proposed Conservation Measures To Introduce A  
Licensing System For Killing Wild Salmon In Scotland  
28 April 2015

very limited.

The proposed ban on barbed hooks should be introduced over a number of years as many tackle shops/anglers will have large stocks of such hooks/flies. There could be unforeseen economic impact on tackle shops if introduced with immediate effect.

**Q4** *Do you agree that a carcass tagging scheme be made as an integral part of the licensing system to aid compliance? If not, please provide suggestions for methods of ensuring compliance with licences and their conditions.*

Carcass tagging would be an important part of any scheme to ensure compliance. It is important this is accompanied by police spot-checks on likely locations for breach, e.g. known hotels/restaurants; fish markets.

**Q5** *What do you consider the main impacts of the package of measures to be? Where you are commenting on the proposed ban and associated licensing scheme, please identify whether the potential impact is a result of the principle of having a more robust regulatory system in place or is more connected to the potential decisions that might be made by the licensing system. Please provide any evidence that you consider should be included within the Business and Regulatory Impact Assessments that will be completed alongside the legislation required to deliver the package of measures. The BRIA helps us to use available evidence to find proposals that best achieve the policy objectives while minimising costs and burdens. It also ensures that any impact on businesses, particularly small enterprises, is fully considered before regulations are made.*

The Board has grave concerns over potential economic impact that may arise. These measures could deter anglers from returning to Scotland, or taking up the sport. There is considerable psychological difference in angler's mind between voluntary C&R and a compulsory scheme. When coupled with ongoing decline in salmon runs, the negative perception could result in loss of anglers, with associated loss of income to both fisheries and local services (accommodation providers, shops, restaurants etc.) in vulnerable rural areas. There could also be direct loss of employment of fishing ghillies etc.

The Board is very concerned about the resource implications arising from enforcement of a licence scheme. Will there be additional resources made available for enforcement, or is the expectation that this will be met through the Board's statutory levy? When added to the cost of applying for a licence, the expense to anglers and proprietors will become untenable. Failure to address this will result in any scheme being a pointless, but expensive exercise.

A full economic assessment of the above factors is required before measures are implemented.

As stated above, we believe the conservation benefit from rod fisheries will be negligible. As evidence, we would simply point to current C&R rates.

**Q6** *Do you have any other observations about the proposals as conservation measures to help regulate exploitation of Atlantic Salmon? In the context of the legal framework in Scotland, do you have any suggestions or options for how they might operate in practice?*

In summary, the potential benefits to salmon populations are likely to be small, given existing C&R practices and

# Consultation Response

Consultation On Proposed Conservation Measures To Introduce A  
Licensing System For Killing Wild Salmon In Scotland  
28 April 2015

major problems facing salmon at sea. There is unlikely to be any significant increase in salmon runs arising from these measures and therefore the above negative economic impacts will not be countered by 'better fishing'.