

Minutes

Beauly District Fishery Board

Project: Board Meeting

Venue: Aigas Field Centre, Beauly

Date: 5 December 2013

Present: J Miller (Chair), F Spencer-Nairn, M Spencer-Nairn, P Pacey

In

Attendance: K Williams (Ness & Beauly Fisheries Trust – NBFT); A Campbell (Clerk)

Description	Action
1 Apologies	
1.1 Apologies were received from Jane Whitbread, Susie Swift and Kim Fraser	
2 Minutes of the Board Meeting of 6 June 2013	
2.1 The Minutes of the Board Meeting of 6 June 2013 were approved as an accurate record and signed by the Chairman.	
2.2 The Board approved the Minutes for publication on the Board's website, subject to removal of parts of Section 6, Bailiffing, and paragraph 9.1, due to confidentiality.	Clerk
3 Matters arising	
3.1 A discussion arose concerning the official definition of "spring catches". Keith Williams (KW) undertook to confirm that Marine Scotland define this as being to the end of April, although the Board view was that this should be to at least the end of May	KW
3.2 KW agreed to forward the Clerk photographs of the works carried out as part of the burn clearance projects. The Clerk to publish photographs on the Board's website.	KW/Clerk
3.3 KW confirmed his intention to investigate further a concrete structure found on the river bed at Tomich with a view to confirming if this presents a barrier to migratory fish.	KW
3.4 Paul Pacey (PP) expressed concerns over the potential for smolts to be damaged or killed whilst passing through the hydro-electric turbines on the system and questioned whether any assurance could be given that SSE was running turbines at optimum speed for smolt survival at all times. The Board agreed that an approach should be made to SEPA to confirm if this can be made a requirement of SSE's CAR Licences. KW undertook to raise this with SSE and SEPA.	KW
3.5 In the meantime, PP was asked to inform Beauly Angling Club members to contact Ness & Beauly Fisheries Trust (NBFT) should any dead smolts be seen in the river and, if possible, collect samples for analysis.	PP
3.6 The Chairman confirmed that the Ness District Fishery Board Director, Chris Conroy, had been asked to take forward a proposal for a full buy-out of the Rosemarkie and Longman netting stations. The outcome of this is still awaited. In the meantime, it may be that a further payment will be required in 2014 to obtain the netsmen's agreement not to fish.	

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4 Board vacancy	
4.1 The Clerk confirmed that, following the sale of his proprietorial interests within the river District, Michael Bennett had tendered his resignation from the Board. The Board agreed that a letter should be circulated to all proprietors inviting nominations to fill the vacancy until the next triennial elections in 2015.	Clerk
5 Aquaculture & Fisheries (Scotland) Act 2013 – Good Governance	
5.1 In light of the recommendation under the Good Governance Guidelines that Board Minutes should be forwarded to Marine Scotland and published within three months, it was agreed that Minutes will be circulated to Board Members, with a request for amendments, within one month of a meeting taking place. If no amendments are received by the Clerk by two months from the date of any such meeting, the Minutes are to be forwarded to Marine Scotland and published by the Clerk.	All
5.2 The Board noted the requirement upon Board Members to register their pecuniary interests in any matters being discussed by the Board and there is a requirement placed upon the Clerk to maintain a register of Members' interests. The Clerk was asked to write to all Board Members in the first instance, confirming any current interests.	Clerk
5.3 No particular declarations of interest were made in relation to the meeting Agenda.	
5.4 The Board discussed and approved the draft Complaints Procedure which had been circulated with the papers prior to the meeting. This procedure will be published on the Board's website.	Clerk
5.5 The Board agreed that, in future, an Annual Public Meeting would be held on the same day as the Annual Meeting of Qualified Proprietors as this was deemed the most practical method of ensuring a good attendance. The first Annual Public Meeting will therefore be held in June 2014.	
6 Bailiff Report	
6.1 The Clerk confirmed that he had received reports from most of the bailiffs within the system; these indicated a continuing low level poaching problem, largely of individuals fishing without a licence and with illegal tackle. He confirmed he had also received a brief report on boat patrols from the Cromarty Firth Fishery Board. A full report will be made available as part of the Board's next Annual Report.	Clerk
6.2 The Chairman reported that the Ness District Fishery Board had offered to hold a joint meeting between the Ness Board bailiffs and the Beaully Board bailiffs to explore how resources might be shared in order to improve the targeting of effort. The Board approved that this be explored in principle.	Clerk
6.3 The Clerk was asked to circulate a list of bailiff contacts to all Board Members.	Clerk

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7 2014 Budget and Fishery Assessment

7.1 A copy of the proposed Budget and Assessment had been circulated along with the meeting papers. The Board noted a proposed slight increase in Bidwells' fee for services of the Clerk as a consequence of increased workload arising from the Good Governance obligations. The Board noted that sufficient reserves are available should any unforeseen items of expenditure arise and approved that the Fishery Assessment should be maintained at the same level for 2014.

7.2 The Clerk reported that he was experiencing difficulties in recovery of Assessment from two proprietors. It was noted that both these proprietorial interests have been sold during the course of the year.

7.3 A letter was tabled from the Beauly Angling Club expressing the Club's strong objection to the Board's Fishery Assessment being used to make a charitable donation to the Ness & Beauly Fisheries Trust. The letter further stated that the Club has no objection to the Trust or the work it undertakes but believes the donation to be inappropriate as it arises from a Statutory Assessment. The Clerk confirmed that he had previously received advice from ASFB that it is in order for the Board to make a donation to the Trust (or any similar body), provided that this is in furtherance of the improvement and protection of fishery interests within the District. The Board agreed that a reply should be made to the Angling Club to this effect and suggesting that any concerns should be raised with the Charities Regulator.

Clerk

At this point the Meeting was opened to members of the public. There was one member of the public in attendance.

8 Review of 2013 Catches and Dam Counts

8.1 The Clerk reported that he had received catch returns from most, though not all, proprietors and to date the total catch for the district reported was 813 salmon with a catch and release rate of 82%. This compares to a ten year average catch of around 1330 fish. Sea trout catches were reported as 104, though it was noted that catches of finnock may not have been included. It was noted that the dam count figures supplied by SSE also indicated a lower than average fish run, although not perhaps quite as bad as might be expected from the fish catches. Beannachran dam figures were near the five year average. It was noted that there was still a significant discrepancy in figures between the Kilmorack and Aigas dams, although the reason for this remains unclear. It was agreed that the poor year reflected the general lack of water and high temperatures through much of the summer and that this was in keeping with many rivers in Scotland. It was also noted that the spring catches had been reasonable and that the issue seemed to be related to a poorer grilse run.

9 Ness and Beauly Fisheries Trust Report

9.1 A report from NBFT had been circulated prior to the meeting.

9.2 KW confirmed he would chase up the final report on the survey of non-native invasive species and to draft a strategy/plan for dealing with these.

KW

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- 9.3 KW confirmed that the Moray Firth Sawbill Group has a reserve of £25,000. It was suggested that a research project should be instigated as soon as possible on sawbill bird numbers within the Beauly Firth and River Beauly. KW confirmed that he will be taking this forward. KW
- 9.4 The slow progress with the consents for removal of the potential barrier to fish on the Culburnie Burn was noted by the Board and disappointment expressed that SEPA was still not in a position to authorise this work. It was suggested that KW continue to push for this and inform the Board should any further difficulties arise. KW
- 9.5 The Board also expressed concern that the proposed removal of the wall and culvert on the Bridgend Burn within Beauly Village had been pushed back due to issues with classification under the Water Framework Directive. It was similarly suggested that this matter should be pushed hard with SEPA. KW
- 9.6 The Board also expressed dismay that the FASMOP report on genetic identification within the Beauly District remained unavailable. KW reported that this was due to Marine Scotland holding the Report back as it had not been formally signed off. The Board agreed that the Clerk should write to Marine Scotland to enquire as to the reasons for this delay. Clerk

NBFT 2014-2016 Management Plan

- 9.7 The proposed actions for the NBFT 2014-2016 Management Plan were discussed by the Board. The following suggestions were made by Board Members:-
- 9.7.1 It was agreed that there may be benefit from undertaking scale sampling of smaller salmon (in the 5 – 7lb category) to assess whether these are in fact grilse or small MSW salmon. KW stated that there are concerns in some quarters that overall weights are lower than has historically been the case and that some fish are being classed as grilse when they are in fact salmon.
- 9.7.2 It was agreed that NBFT should liaise with SSE to establish whether the discrepancy in dam count figures between Kilmorack Dam and Aigas Dam is a result of an issue with the respective counters, or whether there is some biological or other factor at play.
- 9.7.3 It was suggested that, rather than developing a programme for removal of non-native species for each individual section of the District, an overall programme for the whole area would be more suitable.
- 9.7.4 PP queried whether monitoring of oxygen levels in the water below each of the dams should be undertaken to ensure that stale water is not being released. KW stated that it was his understanding that the water being released was in fact reasonably mixed as both Aigas and Kilmorack dams are effectively run-of-river systems and not impoundment dams.

10 Report of SSE Liaison Meeting held on 12 November 2013

- 10.1 Minutes of the above Meeting were not available and were awaited from SSE.

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- 10.2 The Chairman confirmed that the 2013 summer generation patterns had been discussed with SSE and that, as a consequence of the Beauly to Denny power line works, there is a likelihood that there will be reduced power generation on the Beauly system until 2015. This could affect river flows in drier periods.
- 10.3 SSE had confirmed that they were aiming to install new dam count cameras by the beginning of 2015.
- 10.4 A discussion had taken place with SSE about the possibility of an authorised ghillie being permitted to visit the dams and report on count figures as it was felt that the reports received from SSE were too infrequent, particularly where SSE staff members were on holiday. SSE's confirmation on this is awaited.

11 Conservation Policy 2014

- 11.1 It was reported that the Lower Beauly River Syndicate had requested that the conservation policy relating to sea trout (currently 100% catch and release) be amended as the Syndicate Committee felt this was unnecessarily restrictive. The Board did not agree to this proposal as it was felt that the low catch figures in comparison to historic figures still justified a 100% catch and release.
- 11.2 It was agreed that the salmon catch and release policy should be amended to state an aim of achieving 75% release rates.
- 11.3 A request was made to NBFT to undertake a full analysis of historic catch data for the spring period using the NASCO methodology. KW undertook to report back as soon as possible and the Board agreed that, depending upon the results of this, consideration should be given to a 100% catch and release for spring salmon. It was agreed that the Board should resolve this matter by the end of January 2014 in order that the 2014 policy can be confirmed.

KW/All

12 Any other business

- 12.1 PP queried whether there was still an issue with untreated sewage entering the river at the Crask of Aigas. He stated he was aware this had been a historic problem and wondered if this had been dealt with. The Board agreed that SEPA should be approached to confirm any licensing arrangements in this area.
- 12.2 A query was raised as to whether landowners were responsible for removal of non-native species. KW stated that under the Wildlife & Natural Environment Act (Scotland) 2011, that technically landowners were responsible, but he was not aware of any case law yet that would confirm this. It was suggested that the Board or NBFT should be seeking reimbursement from landowners for the cost of any removal programmes. As a consequence, it was suggested that the NBFT Management Plan should include an indication of the likely cost of such a programme.

Clerk

KW

13 Date of Next Meeting

- 13.1 It was provisionally agreed the next Board Meeting, Annual Meeting of Qualified Proprietors and Annual Public Meeting should all take place on 5 June 2014, with a further Board Meeting on 4 December 2014.

All