

MINUTES

of the MEETING of the NORTH AND WEST DISTRICT SALMON FISHERY BOARD held on Wednesday 21st October 2015 at 1.30pm at Reay House, 17 Old Edinburgh Road, INVERNESS

Present:

Mr R Vestey (Convenor)
Mr C Marsham
Mr D Davies
Mr G Osborne
Ms C Acheson

Mr A Balfour

Mr J Watson

In attendance:

Mr C Cook (Clerk, Bell Ingram)
Mr A Laing (ASFB)

1. APOLOGIES

Apologies were received from; Mr J Allingham, Mr R Bradford, Mrs H Gow, Mr D Lindsay, Dr S Marshall (WSFT).

2. MEMBERS DECLARATIONS OF INTEREST

See item 9. There were no new declarations of interest.

3. MINUTES OF THE MEETING HELD ON 20th MAY 2015

There being no comments the Convenor signed the Minutes as an accurate record of the meeting.

4. MATTERS ARISING

Mr Davies wished it to be clear that it was the Boards intention to achieve a balance of income and expenditure in the 2016/7 financial year and that in order to achieve this an assessment of 53p/£1RV in that year would be required.

There were no other matters arising.

5. FINANCIAL REPORT

A financial report was tabled. The Clerk advised that the only outstanding assessment when the meeting papers were issued was from Messrs. Allingham, Bladon and Nall Cain.

(This assessment has since been settled)

6. WEST SUTHERLAND FISHERIES TRUST - REPORT

A report by the WSFT had been circulated with the meeting papers and was taken as read by Members.

Mr Marsham, in his capacity as Chairman of the WSFT, updated Members on the Trust. He explained they had met recently and having considered the implications of the Wild Fishery Review agreed to remain active but extend its brief to other species and into coastal waters. He added that it was also agreed that the constitution would be changed to allow the election of future Trustees by WSFT members.

7. ASSOCIATION OF SALMON FISHERY BOARDS - REPORT

As Mr Allingham was not present at the meeting to make his usual report the Convenor welcomed Mr Laing, Chairman of the ASFB, to the meeting to update Members on the activities of the ASFB with particular reference to the Wild Fisheries Review and also the consultation by the Scottish Government on the ban on the killing of Atlantic salmon except under licence.

8. WILD FISHERY REVIEW

Mr Laing updated Members on the Wild Fishery Review and the current position in its progression towards the formation of new legislation. He also led a discussion on the current consultation exercise (closing on the 29th October) by Scottish Ministers on the ban on the killing of Atlantic salmon except under licence.

Mr Laing said that ASFB and RAFTS and members are well represented in the overall reform process, not only through ASFB and RAFTS staff and Chairmen, but also through the key placement of individuals from both Boards and Trusts on a number of formal groups influencing the WFR process and advising Government. He added there is good evidence that Government are listening to the sector and making adjustments in relation to views. He said he was encouraged that the process of reform appears to be being driven by management needs, rather than politics although conceded this could change during the legislative and parliamentary stages.

Discussion with Members revealed that there are many 'known unknowns' in relation to funding, FMO form, legislative form etc. at this stage. Mr Laing explained that the ASFB has commissioned specialist advice as and when required to help provide a solid understanding of any legal and technical matters which may influence the changes proposed. At present, they have sought advice on two areas – 1) the potential impact of WFR on fishing ownership heritable rights, and 2), advice to explore the various constitutional options which might be used as vehicles for FMOs. Included in this will be the pros and cons of charitable status.

There is a clear expectation from Government that the development of FMOs should be undertaken locally, and driven by existing local needs. The ASFB anticipate that a network of around 15 FMOs across Scotland is the likely number of organisations that will be settled on.

Funding and resourcing is one of the most challenging parts of the reform, both in terms of raising sufficient funding to manage larger areas effectively and developing the most appropriate and efficient mechanism by which that money will be collected. No decisions or hard direction has yet been established, however options remain open for either a central system of collection or a regional one. It would appear that the maintenance of a regional levy collection system is still alive as is the concept of raising additional finance beyond the established levy principle.

Mr Laing said that work is underway within Government in terms of developing a draft national fisheries strategy for the new system, along with a draft bill. It is anticipated that both will be subject to public consultation in the New Year (possibly around February). It is likely that the legislation, when it comes, will be enabling rather than prescriptive. It seems likely that implementation of the FMO network will be staged over a series of years.

Members and Mr Laing discussed the importance of Boards and Trusts talking with their neighbours to try and reach a consensus on the geography of a new system. Mr Laing said it is imperative that this is driven locally as the failure to reach consensus locally is likely to mean that an area may otherwise be imposed by government.

Mr Laing anticipates the outline timescale to be approximately as below:

- Present-December 2015 – development of draft strategy and bill
- Autumn 2016 (at earliest) – potential for a bill to be tabled before Parliament
- 2017? Possible enactment of legislation (but not necessarily actual implementation)
- 2017 onwards – potential implementation (phased).

Members and Mr Laing also discussed the current consultation by Scottish Ministers in to the intended ban on the killing of Atlantic Salmon except under licence. Mr Laing said the ASFB embraced the general approach but had definite concerns about the science employed by Marine Scotland in deciding the classification it had applied to fishery districts. Members said that they did not like that the classifications had been imposed without discussion with the local fishery trust and that the science appeared to be based solely on the application of assumptions to catch records and does not use any of the data gathered by the trust over the last 20 years. Members discussed at length the concern that with so many of the factors that influence the fortunes of Atlantic Salmon lying outside their control that there will be little if anything a fishery owner will be able to do to change the classification affecting them.

Mr Laing said that some Trust fishery scientists had been in discussion with Marine Scotland about the classifications and the approach taken and Members noted with disappointment that the WSFT scientist had not been invited to attend the discussions. Members voiced their concern that there did not appear to be a way to challenge the classification that had been imposed.

Members asked the Convenor and Clerk to open dialogue with the Kyle of Sutherland DSFB to explore the potential for collaborating with them in a future Fishery Management Organisation.

The Clerk agreed to circulate a draft response on the 'kill licence' consultation for Members to consider ahead of the deadline date.

The Convenor drew the item to a close expressing thanks to Mr Laing for attending the meeting.

9. ANY OTHER BUSINESS

Stocking

The Convener declared an interest in this item. The Clerk explained the Board of the River Inver had sought approval to continue the practice of stocking the River Inver with home saved salmon. The ambition was to plant in the region of 100,000 eggs. The Convener, in line with his comments last year when a similar request was approved, anticipated that this would be the last request of this type. The Board approved the application.

Seals

The Clerk updated Members on the activities of the two Salmon Management Groups. He confirmed that he attended the Ghillies meeting in April to update them on the importance of good record keeping and notification of seal sightings and damage. He agreed to send a record of the returns to Marine Scotland for the last three quarters to the Members.

Looking to next year, he said that the two applications would be completed by the deadline date of the 31st October but that there were two changes for next year. The first was that there is now an on-line survey to be completed for wild fisheries as well as fish farms as part of the application process. The second and more complex is that next year there will be a requirement for Marine Scotland (MS) to be notified within 48 hours of any seal being culled. As notification is done by the Clerk it means that a marksman will have to notify the Clerk immediately in order to allow time for MS to be updated. One reason behind this is apparently that MS want to be able to corroborate any notification by the public of a seal being shot with an action by a licenced marksman. The Clerk warned that there was a possibility that the reporting requirements could mean a more detailed location (grid reference) than is currently given. At the moment all MS know is that a seal was shot somewhere in the North and West salmon fishery district.

12. DATE OF NEXT BOARD MEETING

The date of the next Board meeting and the Annual Public meeting was set as Tuesday 17th May 2016 and to be held at the MacPhail Centre, Ullapool. The Annual Public meeting to start at 1.00pm with the Board meeting to follow on from it at about 1.30pm.

There being no other business there was a vote of thanks to the Convener and the meeting closed at 4.15pm

ACTION PLAN

Attend ASFB AGM and report on Wild Fishery Review reaction	CRWC
Complete consultation response for Board on Killing licence	ALL/CRWC
Contact KoSDFB regarding possible FMO collaboration	RV/CRWC
Send a note of seal cull returns up to Q3 to Members	CRWC
Complete the NSMG seal licence application	CRWC
Organise May's meetings	CRWC