

**MINUTES of the MEETING of the NORTHERN DISTRICT SALMON FISHERY BOARD held on
TUESDAY 8th MAY 2018 at 2.15PM at the BETTYHILL HOTEL**

Present: Mr Toby Ward (Convener)
The Rt. Hon Lord Iliffe
Mr D Hurst-Brown
The Hon G Lopes
Mr P Gwyn
Mr Jim Gray
Mr S Green
Mr A Adamson
Mr J Mackay
Mr V Hackel (via Skype)

In attendance: Mr A Youngson
Mrs S Lopes
Mr D Buchan
Mr James J Gray
Mr A Muat
Mr R Wright
Mr D Hodge (for start of meeting)
Mrs A MacAuslan (Clerk)

Prior to the formal start of the Board Meeting, the Chairman introduced Mr David Hodge who was in attendance at the meeting and asked Mr Hodge to provide a brief description of his vessel and skipper qualifications, prior to commencing boat patrols on behalf of the Northern DSFB. Mr Hodge advised that he operates his own creel boat from Portskerra harbour which he currently uses for fishing lobsters and crabs. He is looking to diversify from creel fishing and looking to include taking people out on fishing trips and sightseeing trips to the puffin colonies at Drum Hollistan.

The surveyor is due to come up to undertake the coding inspection for the boat on 24th May 2018. The coding certificate is required before Mr Hodge is licensed to take passengers on board the boat.

Mr Hodge also advised that he has been heavily involved with the upgrading of Portskerra slipway which has been a success and at the Portskerra Harbour Association AGM last week, there were 18 boat owners present. The current annual fee for using the Portskerra slipway is £20 per vessel.

The Chairman thanked Mr Hodge for attending and confirmed that the Board were looking forward to working with him this season.

1. APOLOGIES

Apologies were received from Mr A Nicholson, Mr J Stewart, Mr T MacDonnell and Mr T Chetwynd.

2. **DECLARATIONS OF INTEREST**

No adjustments were required to the existing members' declarations of interest.

3. **MINUTES OF MEETING HELD ON 26th SEPTEMBER 2017**

Mr D Hurst-Brown noted a typing error under 5.3 of the previous meeting minutes.

The sentence should read "*to look closely at the **cost** of the boat...*"

With this correction made, the minutes of the meeting held on 26th September 2017 were confirmed as an accurate record.

4. **MATTERS ARISING**

The Clerk confirmed that all actions from the previous Board meeting had been completed or were in hand.

5. **NORTH COAST PATROLS AND BAILIFF LIAISON GROUP**

- 5.1 ***Future Operation of Boat Patrol:*** The Chairman summarised the sub-committee work undertaken last year to review the various options for future coastal enforcement and deterrence. Following the offer by the Northern Board to purchase the River Naver boat was declined, the Chairman discovered that Mr D Hodge was looking to diversify into commercial trips with his vessel.

The specifications and equipment on the boat were deemed fit for purpose and Mr Hodge was happy to take Bailiffs out on the boat. The cost provided by Mr Hodge for use of the boat and fuel was noted at £325.

Mr Buchan asked how the figure of £125 + VAT was reached for the cost of one or more Bailiffs accompanying the boat patrol. The Chairman stated that he was looking to keep the cost of each patrol at £525 and that this was the figure available after Mr Hodge's costs have been deducted.

The Chairman noted that it was unfortunate that Mr Hodge's boat will not be coded to be launched until possibly early June (with the surveyor coming up on 24th May 2018). The Chairman noted however that in the meantime Mr Adamson has confirmed that the Kinloch boat would be available for launching between now and early June on 2 - 3 occasions. The boat would be skippered by Hugh Montgomery and launched from Tongue.

Lord Iliffe reported that he felt it was a great shame that we are in this position at this point in the year, as in 2017 there had already been 4 patrols completed by this date. Lord Iliffe suggested that it may be a good idea if the River Naver launched their own boat, separately to the Northern Board, operated by Richard Wright and Duncan Paul. Mr Hurst-Brown also reported that the Halladale may launch their own boat as well on the Eastern side of the Northern Board coastline.

Mr Mackay stated that he felt that if the Board has commissioned Mr Hodge to undertake patrols, then we should utilise him for these. It was agreed that we did not wish to reduce the number of patrols that Mr Hodge would be undertaking, but it was felt important that one or two patrols were carried out as soon as possible. It

was agreed that The Chairman and Mr Adamson would discuss the details of launching the Kinloch boat after the meeting.

R Wright reported that the Kinloch boat would not be able to access some of the bays accessed by the Naver boat due to its size. It was noted however that the Kinloch boat was merely to be used as an alternative until Mr Hodge's boat was available.

Mr Mackay felt that the period of potential illegal activity would be around June/July. The Chairman reiterated that the aim was to get Mr Hodge's boat in the water by early June and Mr Lopes suggested that as a Board we should aim to undertake a minimum of 10 sea patrols in 2018.

It was agreed that historically, the Board has had a very effective patrol and the group were keen for that to continue. R Wright reported that since 2009 the Naver boat had undertaken 132 patrols totalling 373 hours patrolling the Board's coastline. During that time, 5 illegal gill nets and one illegal pulley system were found. Almost all patrols have been deterrence patrols rather than intelligence led.

It was agreed to review the current arrangements at the September meeting.

5.2 Bailiff Liaison Group: The Chairman confirmed that a Sea Patrol Committee was in the process of being set up with himself as Chair, along with The Hon G Lopes and Mr J Stewart. The purpose of this committee will be to liaise with the bailiffs and D Hodge using a WhatsApp group as the main system of communication. A draft operational protocol for launching the patrols was circulated to all Board members prior to the meeting. The Chairman made a suggestion that with this small committee in operation, there was the potential to disband the Bailiff Liaison Group. R Wright reported that the Bailiff Liaison Group used to meet on a quarterly basis and is an effective forum for keeping all Bailiffs informed of local intelligence and relevant information/updates.

R Wright felt the inclusion of PC Hunter in this group was useful as there were times when police notification and/or intervention was required. It was agreed that should the police require to be involved in an incident during or directly after a coastal patrol, it should be the Bailiff who contacts the police and ensure that all other parties are kept fully informed.

It was agreed that the Chairman and R Wright would speak further about the Bailiff Liaison Group after the meeting.

6. FINANCIAL REPORT

6.1 Statement of Income & Expenditure - Year to Date: The Clerk referred to the income and expenditure statement which had been circulated to all Board members with the agenda prior to the meeting. The Clerk reported that following circulation of the statement, the Board had received a payment from the Scottish Government of £2,921.98. This was in respect of payment for assisting with the Armadale Tagging Project the previous year. £221.98 of the payment relates to materials already purchased by the Board to secure the acoustic receivers in the rivers. It was

proposed that £500 was given to each river in the Board area who located a receiver, with the remaining £200 going to Alan Youngson for his help and support in advising rivers on the best location for the receivers. This proposal was approved by the Board and the Clerk undertook to distribute this payment accordingly.

- 6.2 ***Draft Budget for Year ending 31st December 2018:*** The Clerk referred to the draft 2018 budget which had been circulated prior to the meeting. The Clerk advised that whilst the budget was usually agreed at the September meeting the previous year, the Board had not been in a position to agree the budget at last year's September meeting due to there not being an agreement on boat patrols at that time. The draft budget for 2018 now includes a budget of £5,250 for Sea Patrols which translates to 10 patrols being undertaken.

There were no further comments on the budget.

- 6.3 ***Assessment Income Rate for 2018:*** The Clerk advised that following discussions with the auditors, they have advised that we should use the 2017 valuation rates to set the 2018 assessment income. The draft 2018 budget proposes an assessment rate of 10p per £RV which would give rise to a projected £122 deficit at year end based on proposed expenditure. Given Mr Buchan's suggestion that the current account balance is reduced, the Board agreed a revised assessment income rate of 8p per £RV. This would give rise to a projected deficit of £3,731 at year end. The Clerk undertook to raise and send out invoices using this agreed assessment poundage.

Mr D Hurst-Brown inquired if any Proprietors had received any update on appeals lodged against the 2017 valuation rates. All those who have appealed confirmed that they had merely received a letter from the assessor acknowledging their appeal and advising that it may be some time before the appeal is dealt with.

7. **FLOW COUNTRY RIVERS TRUST UPDATE**

Mrs S Lopes advised that the next meeting of the Flow Country Rivers Trust is scheduled for June.

Alan Youngson advised that he is in the process of pulling together the electro-fishing data from the 3 Far North Boards, with the Helmsdale data en-route to Alan for inclusion. Alan advised that he would be in touch with the relevant rivers in the Northern Board to obtain their data in the near future.

A Youngson advised that he had undertaken some analysis of the Caithness Board's electro-fishing data and this does not necessarily tie in with the river gradings given to the Caithness rivers for 2018. A Youngson is now at a stage where he is able to set both a fry and parr target for each of the rivers in Caithness and that these targets can be measured each summer when the electro-fishing programme is undertaken. Mr Mackay reported that the river grading classifications could be key to any decision taken on whether the current coastal netting moratorium is lifted in 2019.

8. FISHERIES MANAGEMENT SCOTLAND

8.1 *Wild Fisheries Reform Update/National Electro-fishing Programme*

The Chairman reported that Marine Scotland are looking for each Board/region to participate in a National electro-fishing programme and asked Alan Youngson for more information on the proposed programme. A Youngson confirmed that he had video-conferenced in to a meeting regarding this a few weeks ago, on behalf the Board. A Youngson felt that the Board should participate in the programme if at all possible as it is likely that this electro-fishing data will be used to produce river grading classifications within the next 2-3 years.

A Youngson also advised that those rivers who have established electro-fishing programmes should also continue with these programmes.

Lord Iliffe asked for confirmation that there was a requirement for all 30 sites within the Northern Board to be electro-fished and that rivers could not participate in isolation of other rivers in the Board area. A Youngson confirmed that this was the case.

After discussion, it was agreed that those staff employed on the Halladale and trained to carry out electro-fishing would undertake the sites on the Halladale (6 sites) and the Strathy (2 sites). The River Naver employees who undertake electro-fishing would undertake the 16 sites within the River Naver catchment area and the 1 site on the Kinloch. Alan Youngson confirmed that he could carry out electro-fishing at the 5 sites on the Borgie for this year.

The protocol accompanying the national electro-fishing programme states that 2 people are required to carry out the electro-fishing, one of which must be trained to do so. The electro-fishing may be carried out at any time between 1st July to 30th September.

The Clerk confirmed that there is funding available for 2018 from Marine Scotland to carry out this programme to the value of £12k per Board. It was agreed that the Board would confirm their commitment to be involved in this programme on the proviso that funding for 2018 was secured.

It was agreed that, when made available, the funding should come to the Northern Board and then be distributed to the appropriate person or employer undertaking the electro-fishing based on the number of sites sampled (at a rate of £400 per site).

The Clerk undertook to contact Marine Scotland to confirm our involvement and to enquire about the need or otherwise to obtain permission from SNH to carry out electro-fishing, particularly for those rivers that are SAC's.

The Chairman reported that he has been in contact with the Chairs of both the Caithness and Helmsdale Boards and that whilst they are still keen to collaborate on scientific issues, there is no further appetite at present to progress with a more formal partnership/merger.

A Youngson suggested that there may be a role for the Flow Country Rivers Trust to be more involved in the electro-fishing programme and data in future years, if funded to do so.

- 8.2 **Armadale Tagging Research Project:** The Clerk advised that the draft report on the Armadale Tagging Project had been circulated round to Board members the previous week. The final report is still awaited as is a report analysing historical tagging data.

The report confirms that 83 fish were tagged over 17 days with 81 in total being released. Of the 81 fish tagged, 44 were detected in rivers with all but one of these fish detected in Northern rivers, with the majority of fish being detected in the Naver (26) and the Borgie (11).

The Clerk will circulate the final reports once available.

The Chairman asked Mr Mackay for an update on his discussions with the Scottish Government over his payment for the project.

Mr Mackay handed the Clerk copies of his contract and agreements with the Scottish Government for information.

Mr Mackay confirmed that the figure that the Scottish Government are proposing to pay him is inadequate and far below his tender submission to the Scottish Government. Mr Mackay reported that he had only signed the tender documents and had not signed any contract or agreement with the Scottish Government and this is therefore why he is in dispute with them regarding the payment.

After discussion, it was suggested that we use the Board's subscription to Fish Legal to contact them and ask them to provide legal advice to Mr Mackay on his contractual discussions. The Clerk undertook to contact Fish Legal and find out what service they could provide.

9. **PLANNING CONSULTATIONS/APPLICATIONS UPDATE**

The Clerk referred to the update that had been circulated to Board members prior to the meeting. Since circulation of the update, the Clerk advised that the Scottish Ministers have approved the application by SSE to erect 39 wind turbines at Strathy South.

The Chairman reported that a decision on the Drum Hollistan wind farm application is expected in November 2018.

10. **ANY OTHER BUSINESS**

- 10.1 **Electro-fishing Applications:** The Clerk advised that she had received applications from both the Rivers Naver and Halladale to undertake electro-fishing surveys over the summer. These applications were approved by the Board subject to consulting with SNH where applicable in respect of the applications impacting upon SAC's.

- 10.2 **Introduction of Broodstock:** The Clerk advised that she had received an application from the River Halladale to catch small numbers of salmon broodstock for a hatchery containing up to 70,000 eggs. Consent was duly given by the Board to this application. The Clerk advised that she had not received any submission from the Borgie to catch broodstock as in previous years. The Clerk undertook to contact Mr J Stewart to discuss.

10.3 **Seal Counts:** The Chairman advised that Mr Nicholson had contacted him prior to the meeting to suggest that we should register with the Government that Salmon are protected under SAC and we are required to improve the situation. SNH have deer density targets, therefore why should there not be an agreed limit of the number/density of seals?

Mr Nicholson proposes that we should have agreed methods of seal counts so that we are able to establish a baseline to take forward discussions with SNH and the Scottish Government.

This suggestion was supported by the Board and the Clerk undertook to draft a protocol for undertaking seal counts across the Northern Board area.

10.4 **Missing Salmon Project:** Mrs S Lopes advised that the Atlantic Salmon Trust are undertaking a smolt tagging project which will involve the tagging of 350 smolts with acoustic receivers located in an array from the Wick River to the mouth of the Deveron. Whilst not directly impacting on the Northern Board area, it is proposed that the data gleaned from this project, will be of interest to the Board.

11. **DATE OF NEXT MEETING**

The Clerk reported that the Annual Meeting of Qualified Proprietors will be held on **Tuesday 25th September 2018 at 2pm** at the Bettyhill Hotel. This will be followed immediately by the NDSFB Board Meeting.

LIST OF ACTIONS ARISING FROM MEETING

T Ward and A Adamson to discuss the details of launching the Kinloch Boat in May 2018	Chair/A Adamson
Review sea patrol programme at September 2018 Board meeting	Clerk/All
T Ward and R Wright to discuss the Bailiff Liaison Group out with the meeting	Chair/R Wright
Distribute Scottish Government payment for Armadale Tagging Project as per agreed arrangements	Clerk
Send out 2018 Assessment invoices	Clerk
Contact the Halladale and Naver for access to historical electro-fishing data	A Youngson
Confirm commitment with Marine Scotland to participate in the National Electro-fishing Programme	Clerk
Confirm requirement or otherwise to obtain permission from SNH for electro-fishing programme	Clerk
Circulate final reports on Armadale Tagging Project and Analysis of Historical Tagging Data	Clerk
Contact Fish Legal to ascertain what level of support they would be able to provide Mr Mackay in his discussions with the Scottish Government.	Clerk
Contact Mr J Stewart regarding the River Borgie's plans for introduction of Broodstock in 2018/2019	Clerk
Draft a protocol for undertaking seal counts across the Northern Board area	Clerk
Arrange venue for the next meeting	Clerk