

**MINUTES of the MEETING of the NORTHERN DISTRICT SALMON FISHERY BOARD held on  
TUESDAY 10th MAY 2016 at 9.30AM at the BETTYHILL HOTEL**

**Present:** Mr M T Ward (Convener)  
Mr J Gray  
Lord Iliffe  
Mr S Green  
Mr D Lindsay  
Mr J Stewart  
Mrs A Nicholson (Mandate - Mr A Nicholson)  
Mr V Hackel (via Skype)  
Mr P Gwyn  
Mr J MacKay

**In attendance:** Mr A Youngson  
Mr D Buchan  
Mr J Mason  
Mr M Heeps  
Mr M Braithwaite-Exley  
Mr A Muat (Bettyhill Angling Club)  
Mrs A MacAuslan (Clerk)

**1. APOLOGIES**

Apologies were received from Mr D Hurst-Brown, The Hon. G Lopes and Mrs S Lopes.

**2. DECLARATIONS OF INTEREST**

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

**3. MINUTES OF MEETING HELD ON 29TH SEPTEMBER 2015**

The minutes of the meeting held on 29th September 2015 were confirmed as an accurate record, having previously been approved by the Board via email following the September 2015 meeting.

**4. MATTERS ARISING**

The Clerk confirmed that following an action at the September 2015 to investigate whether or not the Board could be VAT registered, the Board's accountants have advised that the Board is not able to become VAT registered as we are in effect a rates raising body and our income is out with the scope of VAT. The Clerk therefore confirmed that the 2016 draft budget includes VAT where applicable.

The Clerk confirmed that all other action points agreed at the meeting on 29th September 2015 had been completed or were in hand. There were no further matters arising.

**5. FORSINARD FLYFISHERS' CLUB**

The Chair distributed copies of the draft members handbook of the newly constituted Forsinard Flyfisher's Club and gave a brief summary of how the new club

was to be managed. The club has been set up by Mr Reuben Sweeting, head ghillie on the Halladale, and Mr Paul Byrne.

The Club is looking to set up a website for information and on-line booking and it was agreed that the Board would support the club in this by providing a one off payment of £500.00.

The Clerk agreed to send Mr V Hackel a copy of the Draft Members Handbook.

#### 6. **NORTH COAST PATROLS AND BAILIFF LIAISON GROUP**

Mr M Heeps, Superintendent for the River Naver, provided the Board with a verbal update on this agenda item. M Heeps reported that due to unfavourable weather in April the two planned patrols did not take place however he envisaged that the first coastal patrol of the 2016 season would be undertaken within the next 48 hours.

The Bailiff Liaison Group met at the end of February 2016; the meeting was attended by PC Hunter, based in Tongue. She has agreed to accompany the boat patrol on one of her days off to obtain a better understanding of how the patrols work. It was confirmed that the boat's insurance would cover this trip.

The Bailiff Liaison Group are producing 'Buyer Beware' leaflets which will be circulated to local Hotels and Restaurants. In addition, multi-language angling information leaflets are in the process of being drafted and produced.

M Heeps confirmed that foot patrols have been ongoing; there have been 3 incidences of net marked fish in the Naver and ongoing localised issues with poaching in the Kinloch area.

#### 7. **FLOW COUNTRY RIVERS TRUST UPDATE**

Mr V Hackel and Mr A Youngson provided the Board with a verbal update on the Flow Country Rivers Trust.

The FCRT is collaborating with the Environmental Research Institute in Thurso to undertake a smolt tracking survey on the Wick River. This project is to address the lack of information on the behaviour of smolts and their migratory routes in the vicinity of the Pentland Firth.

The FCRT are also undertaking a Fisherman's Knowledge project funded by a grant from the Fishmongers Company. This project will gain qualitative information from salmon netmen on the pattern of salmon in the Pentland Firth (a hub for renewable energy developments) as there is very little formal scientific data on this issue.

The Clerk confirmed that the FCRT annual report, annual accounts and minutes of the last meeting were circulated to all Board members on 9th May 2016. If any Board member requires a hard copy of the FCRT Winter 2015 Newsletter, please inform the Clerk who will arrange for copies to be sent.

## 8. **WILD FISHERIES REFORM UPDATE**

The Chairman provided the Board with a verbal summary of the discussions on this topic to date. The Chair confirmed that the Chairs of the 3 Boards proposing to make up a Flow Country FMO (Caithness, Helmsdale and Northern) met in November 2015 to discuss the proposal. Following that discussion, John Thurso agreed to draft a proposal on how the new FMO may look and function. A copy of this draft was sent to all Board members and at the end of March 2016 the Board replied to John Thurso with comments. The main comments which were sent to John Thurso were relating to:

- the employment and co-ordination of bailiffs
- The non inclusion of coastal patrols in the proposal
- The structure and robustness of the financial information.

The Chair informed the Board that he had received an email from John Thurso on 9th May 2016 in which John Thurso explained that 'the key point to remember is that this is a template to demonstrate viability and not a final plan which will come later.'

The draft proposal has been accepted by both the Caithness Board and the Helmsdale Board as a draft template.

In relation to the employment of bailiffs, the Chairman proposed that the wording of the paragraph in the FMO proposal should be changed from 'administration' to 'co-ordination'.

In relation to the coastal patrols, Mr J Gray asked what the thoughts of the other 2 Boards were on how coastal patrols should be operated and financed in a new FMO. The Chairman confirmed that this level of detail had not been discussed however the Board felt that it was important that this issue was discussed sooner rather than later to ensure that all areas of the FMO were prepared to share the cost of coastal patrols as they would benefit all areas. M Heeps suggested that he send J Thurso a copy of the coastal patrol report for information and it was agreed that this would be helpful.

Following this discussion, the Board agreed to accept the draft FMO template subject to the amendments relating to the co-ordination of bailiffs, the inclusion of the coastal patrols and the re-structuring of the financial information. The Chairman undertook to contact John Thurso with this decision and amendments.

The timescale for submission of the FMO proposal was discussed. A Youngson confirmed that there was no deadline to submitting the FMO proposal and as a group we were probably ahead of the game. It was felt however that it would be useful to get a steer from ASFB and/or the Scottish Government as to whether our geographical area for an FMO (and as an FMA) would be accepted.

J Mackay reported that he is a member of the WFR Stakeholder Group and confirmed that the Scottish Government are looking to start a pilot FMO to test the proposal operationally. J Mackay reported that at present the Stakeholder Group is looking at there being 18 FMOs costing £9million in total. He felt that there is still a

long way to go and that it will be a few years until FMOs are formally formed. The Stakeholder Group meets approximately every six weeks with the next meeting being held on 2nd June in Edinburgh.

The Clerk asked whether the Board wished to submit the draft response to the WFR consultation which was emailed to the Board for comment in April 2016. It was agreed that it would be useful to submit this and the Clerk undertook to action this.

## **9. FINANCIAL REPORT**

### **9.1 Outstanding 2015 Assessments**

The Clerk informed the Board that all 2015 assessments had been received with the exception of the assessment from Armadale Netting Station. Mr J Mackay reported that at the last meeting it had been agreed that he and the Chairman would meet to discuss this issue and explore options for Mr Mackay to continue to actively be involved in the Board's activities. He stated that nothing had really happened in this regard and that whilst he appreciated that the payment of assessments was a statutory requirement, there was also a requirement for the Board to support him. After discussion, Mr Mackay agreed that once compensation money was received from the Scottish Government, he would pay his 2015 assessment.

Mr Mackay felt that he should be receiving some form of compensation from the Board for the Spring conservation measures which barred him from starting netting until 1st April. This was first raised with the Board in 2014 however no compensation was given.

Mr P Gwyn asked Mr J Mackay what the Scottish Government's response had been to the current ban on coastal netting for 3 years. Mr J Mackay confirmed that discussions are still ongoing and nothing has been agreed to date regarding compensation and the potential to be involved in Scottish Government research during the 3 year ban period.

Lord Iliffe suggested that the Board should undertake to write to the Scottish Government (c/o Kerry Campbell) to enquire whether Mr J Mackay's assessments for the 3 year period will be covered by the Scottish Government and to urge for the discussions to be drawn to a satisfactory conclusion. The Board agreed to this suggestion and the Chair and the Clerk undertook to action this.

Mr Mackay reported that Armadale Salmon Fisheries had had their seal licence revoked however he could be added to individual fisheries applications for seal licences as an additional marksman if any fisheries require this. Individual fisheries/proprietors to discuss with Mr Mackay as required.

### **9.2 Draft Accounts for Year Ending 31st December 2015**

The Clerk presented the draft accounts for the year ending 31st December 2015 and confirmed that these had been sent to the accountants for auditing. The draft

audited accounts for 2015 will be available for discussion at the next meeting in September 2016.

There were no further queries or comments on these accounts.

### 9.3 **Draft Budget for Year Ending 31st December 2016**

The Clerk presented the draft budget for the year ending 31st December 2016. The Clerk reported that the cost of the 2016 Coastal Patrol had been agreed and included VAT. The Clerk also confirmed that she would arrange for the final instalment of the 3 year agreed funding of the Flow Country Rivers Trust (£5,000) to be paid.

The assessment poundage for 2016 was discussed and the price of 38p per RV pound was agreed by the Board (proposed by Mr D Lindsay and seconded by Mr J Gray). The Clerk undertook to send out assessment invoices to all qualified proprietors within the next few weeks.

### 9.4 **Statement of Income and Expenditure - Year to Date**

The Clerk presented a statement of income and expenditure from 1st January 2016 to 31st March 2016. There were no queries or comments regarding this statement.

## 10. **PLANNING CONSULTATIONS/APPLICATIONS UPDATE**

The Clerk reported that the Board had had no correspondence or input into current or future planning consultations since the meeting in September 2015. She confirmed that the report on the Strathy South windfarm appeal had been submitted to Scottish Ministers on 24th February 2016 and a decision was expected soon.

Mr P Gwyn enquired whether there was any update on renewable works being undertaken in the Pentland Firth. The Clerk reported that she was not aware of any updates but undertook to find out in more detail.

Mr D Buchan enquired about the proposal for an extension to the Bettyhill Windfarm. The Clerk reported that this was currently in the scoping phase.

The Board agreed that all current or proposed planning applications which may have a material impact on the rivers or coast of the Board area should be peer reviewed. The Clerk and Mr A Youngson agreed to undertake this exercise and inform the Board of any applications (wind farms, hydro schemes or offshore renewable schemes) which may impact on the Board area.

## 11. **ANY OTHER BUSINESS**

### 11.1 *Electro-fishing Survey Applications*

The Clerk reported that she had received applications from both the River Naver and the River Halladale to undertake electro-fishing surveys in 2016. Consent was duly given by the Board to both of these applications, subject to consulting with SNH where applicable in respect of the applications impacting upon SAC's.

Mr P Gwyn asked whether the Board should receive copies of the electric fishing survey results. This proposal was agreed and the individual rivers which carry out electric fishing surveys agreed to forward the results to the Clerk for circulation.

11.2 *Introduction of Youngstock*

The Clerk reported that she had received applications from both the River Halladale and the River Borgie to introduce Youngstock. Consent was duly given by the Board to both of these applications, subject to consulting with SNH where applicable in respect of the applications impacting upon SAC's.

11.3 *Standardisation of Scientific Reporting and Policies*

Mr A Youngson reported that whilst it may be some years before the FMO formally comes to fruition, in relation to the science there were advantages to standardising data and reporting within the 3 Board areas as soon as possible.

Mr Youngson suggested that he could approach the Flow Country Rivers Trust to see if they would help support the standardisation of scientific policies, data and reporting. This proposal was supported by the Board and Mr A Youngson undertook to take this forward with the FCRT.

12. **DATE OF NEXT MEETING**

The Annual Meeting of Qualified Proprietors and Board Meeting will be held on Tuesday 27th September 2016 at the Bettyhill Hotel. The Annual Meeting of Qualified Proprietors will start at 2pm followed by the Board Meeting at around 2.30pm.

## LIST OF ACTIONS ARISING FROM MEETING

Contact R Sweeting to arrange one-off payment to Forsinard Flyfisher's Club	Clerk
Send Mr V Hackel a copy of the Forsinard Flyfisher's Club draft Member's Handbook	Clerk
Send a copy of the Coastal Patrol report to J Thurso for information	M Heeps
Contact J Thurso regarding Board's acceptance of draft FMO proposal subject to amendments.	Chairman
Submit Board response to WFR consultation	Clerk
Arrange payment of 2015 assessments once compensation money received.	J Mackay
Write to Scottish Government (c/o Kerry Campbell) regarding coastal netting compensation arrangements and timescales	Chairman/Clerk
Individual rivers to contact J Mackay if additional marksmen for seal licenses are required	Individual rivers/J Mackay
Arrange payment of final instalment of 3 year FCRT funding	Clerk
Send out 2016 assessment invoices to Qualified Proprietors	Clerk
Undertake peer review of all current and proposed planning applications in Board area	A Youngson/Clerk
Electric fishing survey results to be sent to the Clerk for circulation	Individual Rivers/Clerk
Undertake to standardise scientific data recording, reporting and policies in proposed FMO area	A Youngson/FCRT
Arrange venue for the next meeting	Clerk