

**MINUTES of the MEETING of the NORTHERN DISTRICT SALMON FISHERY BOARD held on
TUESDAY 25th SEPTEMBER 2018 at 2.15PM at the BETTYHILL HOTEL**

Present: Mr Toby Ward (Convener)
Mr A Adamson
Mr J Stewart
The Hon G Lopes
Mrs S Lopes
Lord Iliffe
Mr S Green
Mr J Gray
Mrs M Philpot
Mr D Buchan
Mr A Nicholson
Mr J Mackay

In Attendance: Mr A Muat
Mr A Youngson
Mr R Wright
Mr W Grant
Mrs A MacAuslan (Clerk)

1. APOLOGIES

Apologies were received from Mr T MacDonnell, Mr P Gwyn, Mr V Hackel, Mr T Chetwynd and Mr D Hurst-Brown.

2. CO-OPTION OF REPRESENTATIVES OF SALMON ANGLERS & TENANT NETSMEN

The Clerk advised that the first duty of the newly formed Board was to co-opt representatives of salmon anglers and tenant netsmen from the District. The Clerk advised that there were currently no representatives who wished to be co-opted onto the Board.

3. ELECTION OF CHAIRMAN

The Clerk advised that the Board was required to elect a Convener from amongst the elected members. The Hon. G Lopes proposed that Mr T Ward continue as Convener; this proposal was seconded by Lord Iliffe and Mr T Ward was duly re-elected as Chairman of the Board.

4. DECLARATIONS OF INTEREST

No adjustments were required to the existing members' declarations of interest. The Clerk undertook to issue Mr D Buchan with the relevant declaration forms for completion.

5. MINUTES OF MEETING HELD ON 8th MAY 2018

The minutes of the meeting held on 8th May 2018 were confirmed as an accurate record.

6. **MATTERS ARISING**

The Chairman went through the list of actions arising from the previous meeting, and the following updates were reported:

Historical Electro-fishing Data: A Youngson reported that he had not yet had time to review any historical electro-fishing data from either the River Naver or River Halladale.

Armadale Tagging Project: The Clerk advised that she had contacted Fish Legal to ascertain whether they would be in a position to assist Mr Mackay with his claim against the Scottish Government for appropriate payment for the research project. Fish Legal had advised that they were not in a position to provide advice under the Northern Board's membership of Fish Legal as Mr Mackay had contracted with the Scottish Government as an independent netsman (and not on behalf of the Board). Mr Mackay reported that the case is now going to arbitration and he did not feel that there was anything further that the Board could do at present to assist with this. Mr Nicholson asked whether it was worthwhile the Board paying the annual membership fee to Fish Legal and whether there was a statutory requirement to hold this membership. Mr Green reported that he would be concerned to cancel the membership if it may leave the Board exposed in the future. The Clerk undertook to investigate further the terms and conditions of both the Fish Legal membership and the Board's insurance policy with regard to legal assistance.

Seal Counts: The Clerk advised that she had managed to make contact with Roger Knight of the Spey Fishery Board who have produced the Moray Firth Seal Management Plan. The Clerk will circulate this plan and Roger Knight's email for information and will contact the Seal Mammal Research Unit (SMRU) at St Andrew's University who should have a baseline seal number count for the Northern coastline.

7. **NORTH COAST SEA PATROLS**

- 7.1 **Summary of 2018 Coastal Patrols:** The Chairman reported that the dry conditions of this season had resulted in large numbers of fish in the estuary areas and off the coast, unable to run up the rivers. This had led to a requirement to undertake additional patrols over and above the agreed budget, and this additional expenditure had been agreed by the Proprietors via email correspondence. In addition, both the River Naver boat and Halladale boat undertook their own patrols and the Kinloch vessel was also regularly out on the water.

The delay in D Hodge being able to launch his boat due to a delay in the vessel receiving its appropriate coding certification, led to the Kinloch boat undertaking 2 patrols on behalf of the Northern Board and the River Naver boat undertaking one patrol. Mr Lopes reported that the River Naver boat had in fact undertaken two patrols in May 2018 with D Hodge on board to familiarise him with the coastline and felt that the Naver Proprietors should be remunerated for these two patrols instead of one. This was agreed by the Board and the Clerk undertook to pay the relevant parties the appropriate remuneration for both boat hire and bailiff support.

R Wright reported that D Hodge's boat was fully capable of undertaking the coastal patrols and the patrols seemed to work best when launched from one site and retrieved from a different site. R Wright felt that in terms of flexibility and ease of communication, it may be easier to arrange patrols if the decision to launch was taken between D Hodge, R Wright and W Grant locally, within agreed parameters set by the Boat sub-committee. It was agreed that the WhatsApp group worked well in terms of keeping all parties well informed and feeding back following a patrol. The Chairman noted these comments and undertook to amend the communication lines for next season.

Mr Buchan enquired about a patrol carried out on 25th June 2018 which was cut short due to deteriorating weather conditions. Mr Buchan raised his concerns that a patrol was launched either with the weather not being checked or despite the poor weather forecast. W Grant reported that he was on board the vessel for this patrol, the forecast had been checked before launching and that the weather deteriorated whilst out at sea with the decision taken to return to shore. The Chairman confirmed that the skipper of the vessel is in charge of checking the weather and tidal conditions and should not consider launching if it may be unsafe to do so.

- 7.2 ***Proposal for 2019 Coastal Patrols:*** The Chairman proposed that the Board continue with the same arrangements as the 2018 season with D Hodge's vessel being contracted to undertake sea patrols by the Northern Board (with Northern Board bailiffs on board), and other fisheries undertaking their own patrols should they wish.

The Chairman reported that he felt it was important to launch sea patrols earlier in the season next year (early May) and during the main grilse run, with other patrols being launched as required to maintain a deterrence along the coastline.

The Clerk undertook to write to D Hodge with details of the proposal for the 2019 season. The Clerk confirmed that the 2019 budget had been based on 10 patrols being launched and the costs remaining the same as 2018.

The Chairman thanked all those involved with the sea patrols throughout the season.

8. FINANCIAL REPORT

- 8.1 ***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 a projected overspend of just over £6,000 at year ending 31st December 2018; this overspend takes into account the payment to River Naver Fisheries for the additional sea patrol carried out in May 2018. The Clerk reported that this would leave a projected bank balance at year end of approximately £5,000.

It was noted that the 2018 assessment from the River Strathy is still outstanding. £6,150 has been received by the Scottish Government for the National Electrofishing programme with a further £6,000 expected in November 2018. Mr G Lopes asked that the money received to date for the EF programme was distributed accordingly now, with the remaining amount distributed once received. A Youngson asked that

the payment for the Borgie sites be put on hold at present and he would advise accordingly at a later date. The Clerk undertook to make these part payments.

- 8.2 ***Draft Budget for Year ending 31st December 2019:*** The Clerk referred to the draft 2019 budget which had been circulated prior to the meeting. The Clerk advised that the assessment poundage could not be set at present as a number of rivers have appealed against their rateable values and the Clerk is awaiting confirmation of this from the Assessor. It was agreed however that the assessment poundage should be calculated to leave approximately £6k in the bank account by the year ending 31st December 2019. It was confirmed that it would be possible to raise further assessment invoices later in 2019 if funds needed to be replenished.

9. **FLOW COUNTRY RIVERS TRUST UPDATE**

A Youngson advised that he had taken advantage of the dry weather to measure the conductivity levels of all Northern rivers and this report had been circulated to all Board members and is on to FCRT website.

A Youngson reported that the river gradings are due to be published by the end of September. The error in the grading process that led to the Northern rivers being expected to produce many more fish than rivers in the South seems to have been resolved and this should benefit Northern river gradings this year. If however there are any problems with river gradings once published, Proprietors should contact A Youngson for advice.

A Youngson reported that he has historical electrofishing data for the Caithness rivers and suggested that the FCRT may be in a position to compile a report on the analysis of the electrofishing data; this could also include the Northern Board data from both the National electrofishing programme and the established EF programmes on the Naver and Halladale. It was confirmed that the Trust has some funding available and may not require any further funding to produce this report. It was agreed that the Clerk would approach the Trust for their support in this.

10. **FISHERIES MANAGEMENT SCOTLAND**

10.1 ***National Electro-fishing Programme***

It was reported that all sites on the Halladale, Strathy, Naver and Kinloch have been completed in relation to the National Electrofishing programme. A Youngson reported that he has completed 2 of the 5 sites on the Borgie. The remaining three sites are not fishable due to access issues and/or water heights and A Youngson is therefore looking to identify 3 alternative sites. Lord Iliffe reported that he had thought all 30 sites within the Northern Board required to be completed in order for the data to be accepted by the Scottish Government. A Youngson reported that this was the intention in theory however in practice many areas have been struggling to complete all sites. All National sites will be put onto the SFCC database for analysis, with the majority of sites already inputted.

A Youngson reported that the National Electrofishing Programme was designed to be run for 9 years however it is not yet known if the programme will continue next year and/or if funding will be made available.

11. **PLANNING CONSULTATIONS/APPLICATIONS UPDATE**

The Clerk reported that all planning consultation information had been included in the annual report referred to at the earlier Annual Meeting of Qualified Proprietors and there was no further update on this item.

12. **ANY OTHER BUSINESS**

10.1 ***Coastal Netting Moratorium:*** Mr Buchan asked if there was any further update on the current coastal netting moratorium which is due to finish in Spring 2019. Mr Mackay reported that the Association of Salmon Netsmen was having ongoing meetings with the Scottish Government. He reported that the moratorium was likely to continue however the Scottish Government wish to stop the compensation associated with this; the Association is appealing against this course of action.

10.2 ***Carbon Research, River Halladale:*** The Chairman advised that the Halladale is one of three rivers in the UK identified to measure the transport of carbon from soils, via river flows, to the sea. This is a yearlong study, of which the ERI is one of the research Partners.

10.3 ***Piscivorous Birds:*** Mr Lopes reported that the Naver is in the process of applying to SNH for a license to control Mergansers. W Grant reported that the Halladale have a few Mergansers and Goosanders on the river however they are not currently applying for a license to control these, although they have had a licence in the past.

13. **DATE OF NEXT MEETING**

The Clerk proposed that the following were confirmed as dates for meetings in 2019:
Tuesday 7th May 2019 at 2pm: Annual Public Meeting followed by NDSB Board meeting.

Tuesday 24th September 2019 at 2pm: Annual Meeting of Qualified Proprietors followed by NDSFB Board meeting.

It was reported that Monday 6th May was a public holiday and it was proposed to move the May meeting to Wednesday 8th May. It was agreed that Proprietors would consult their diaries and the meeting date would be confirmed at a later date.

LIST OF ACTIONS ARISING FROM MEETING

Email Derek Buchan the Declaration of Financial Interest paperwork for completion	Clerk
Review Fish Legal membership details and Insurance Policy details	Clerk
Circulate Moray Firth Seal Management Plan to Board members for information	Clerk
Contact Seal Mammal Research Unit for baseline seal count figures	Clerk
Arrange payment of sea patrols and bailiff support to relevant parties	Clerk
Amend communication lines for launching of sea patrols for 2019 season	Chair
Write to Mr D Hodge with proposal for 2019 season sea patrols	Clerk
Organise the first tranche payment of National Electrofishing Programme funding to relevant parties	Clerk
Approach the Flow Country Rivers Trust (FCRT) with regards to producing reports on electrofishing data for Northern Board rivers	Clerk
Confirm dates of 2019 meetings and arrange venue	Clerk/All

ATM/NDSFB
September 2018