

MINUTE OF MEETING OF THE SPEY
DISTRICT FISHERY BOARD IN OPEN
SESSION held at the Craigellachie Hotel,
Craigellachie commencing at 10.00 a. m. on
Friday 19th February, 2016

Present:-

Chairman	Brian Doran	Craigellachie Fishings
Proprietors	Peter Graham Angus Gordon Lennox Toby Metcalfe Peter Millar Sir Edward Mountain, Bt Oliver Russell Alan Williams	Roths & Aikenway and Laggan Brae Water Trust Crown Estate Orton Delfur Fishings Ballindalloch Carron Fishings
Co-Optees	Mel McDonald Grant Mortimer	River Spey Anglers Association Strathspey Angling Improvement Association
In Attendance	Roger Knight Anne Elliott Brian Shaw William Cowie	Director SNH Biologist Clerk
Public Attendees	None	

1. INTRODUCTIONS AND APOLOGIES

Apologies had been received from Dr CMH Wills, Douglas Ross of Moray Council and Gavin Clark who was replaced at the meeting by Anne Elliott.

2. MINUTES OF PREVIOUS MEETING

2.1 Minutes of the Open Session Meeting held on 20th November, 2015 were tabled. The Minutes were approved unanimously for signing.

3. MATTERS ARISING FROM PREVIOUS MINUTES

3.1 It was noted that there had not been formal approval at the last meeting of the re-establishment of the Publicity Committee with Alan Williams as Chairman and

this was proposed and accepted by all. Alan Williams was then invited to address the meeting.

He noted that there had been a considerable number of matters actioned since the last Board Meeting but there was a clear need for close monitoring of output so that the message from the Board was unified.

It was recognised that there would be an upcoming publicity issue in the re-designation of the Spey Dam as a barrier to fish and it was incumbent on the Board to raise the profile of this issue and to be clear on the implementation of the Water Framework Directive.

In addition, as far as Fisheries Development was concerned, Alan Williams had met with Mark Cockburn of Fish Spey/Fishpal with the object of encouraging dialogue to promote closer working. Following the meeting, he was hopeful that this would be fruitful and he reported a good initial meeting.

The promotion of fishing had also been discussed by the Spey Fishing Trust and a number of positive spin-offs had arisen, including the possibility of whisky tasting for a Swedish party coming to fish in April.

He then invited questions:-

- Q: Angus Gordon Lennox enquired regarding the press coverage of the Opening Day. There had been some concern that the press coverage featured “spinners” and that in doing so it may discourage anglers who do not agree with spinning. His proposal to consider another venue was however not supported by other Board Members as the Opening Day had generated good publicity for the Board overall and had been supported by Aberlour Distillery. It was felt not to be a serious issue to warrant a change of venue.
- Q: Brian Shaw enquired whether the Board should pursue a link between the Whisky Festival and fishing and this was agreed.

Sir Edward Mountain suggested that social media may be a way forward.

4. DIRECTOR’S REPORT

The Director’s Report was as appended to the Minute, but the following additional points arose, using the numbering in the report:-

4.1 2015 Annual Report

The Director took Board Members through the principal parts of the Annual Report covering:-

- Water abstraction.
- Catch figures.
- Habitat management and Spey Catchment Initiative.
- Stocking.
- Additional Reports.

He recommended the Report to all Board Members and Proprietors and invited comments.

There were no comments and the Chairman applauded the Annual Report as an excellent piece of work.

4.8 Wild Fisheries Reform

It was noted that the draft provisions for the Wild Fisheries (Scotland) Bill had been issued and copies had been circulated to Board Members. This showed a clear change in emphasis from Andrew Thin's Report 16 months earlier and there were a number of issues arising, including the definition of "person" and the suggestion of a "Management and Development Levy" which was the latest guise of an attempt to introduce some form of Rod Licence, although this was far from finalised.

The Chair invited comments on the draft provisions.

1. The need for the use of Public Meetings as part of the process of considering our response to the Government consultation was discussed, given that on the last occasion there had been little input from the 3 Public Meetings held. Alan Williams suggested that there should simply be one Public Meeting after the draft response had been formulated. Angus Gordon Lennox agreed, but felt it was vital to involve the public and to give them an opportunity to raise issues, so that when the final Bill was produced they would be included.

All Board Members agreed to one Public Meeting after the draft was formulated and after discussion, it was suggested that this should be without a Government representative in attendance. The venue would be determined but it would possibly be held at the Aberlour Flemming Hall.

2. Angus Gordon Lennox enquired whether there had been a definition given of "Angling for All" and in response, the answer was, "No"; it was more of a vague aspirational term. The history was that, when the Scottish Government had first discussed Wild Fisheries Reform,

one of the driving forces was to improve access to fishing, but as the process had evolved it had focussed increasingly on encouraging more participants to be involved in angling.

Sir Edward Mountain cautioned the Board that the draft Bill circulated at consultation rarely looked the same following the stage 2 process in Parliament and it was vital that the Board kept a close eye on matters to ensure that the reasonableness of the current draft remained. The Board should ensure that amendments were included as early as possible and this was supported by Peter Graham, who had formed the impression that the Scottish Government were actively seeking the help of the current River Boards to flesh out the draft as they were in a process that they did not fully understand themselves. This meant that the Boards were in a strong position to influence the drafting process.

The Director noted that in discussions with Government officials, the process of consulting on “draft provisions” was an unusual step and added an additional stage to the process. His clear feeling was that they were keen to develop a draft Bill which would be acceptable to Boards, Trusts and the angling public, thereby overcoming the likelihood of amendments being tabled later.

Alan Williams also noted that the Tweed would be dealt with separately. Therefore the Spey would be very much in the lead of the Boards feeding information back to Scottish Government and it was important to take that lead.

4.9 Association of Salmon Fishery Boards

The Director reported the position as listed in the Director’s Report and invited questions:-

Sir Edward Mountain asked what the current subscription to the ASFB was and in reply, the Director reported it was currently approximately £8,000, having been reduced from a previous subscription of £12,000.

Sir Edward Mountain felt that with the secondment to the Scottish Parliament, the cost of the ASFB should be reduced and there were also considerable reserves built up which could also be utilised. In his view, the subscription could be reduced further. This was noted by all Board Members, but the Chairman reminded them that they had resolved to stay with the ASFB through the Wild Fisheries Reform process. It was

however resolved to maintain the subscriptions paid to the ASFB under review.

4.10 Water Abstraction

This was as reported in the Director's Report although Brian Shaw noted that he had attended a meeting on the 1st February with Jodie Innes and Tom Uppingham of Rio Tinto Alcan and although they had not been fully up to speed with requirements under the CAR Licence, they would be attending a joint meeting with SEPA and the Spey Fishery Board in April.

Toby Metcalfe requested that the Board have a clear target programme so that progress could be measured against specific timelines. He felt this document should be produced by SEPA and even if it was not adhered to, it would be something to hold SEPA to account.

This was supported by Board Members.

Oliver Russell enquired whether it was known when the RTA Highland Review would be completed and the Chairman reported that he had no detail as yet, but he felt there was likely to be movement soon.

4.11 SSE

Board Members recognised SEPA's responsibility to ensure that they addressed the re-watering issue, that they are the Regulator and must be pressured to act as such.

4.12 Predator Control

As reported in the Director's Report.

4.3 Seals

The Director was to challenge the number of seals permitted under the seal licence. The whole process had become very frustrating.

4.14 Ranunculus

This was as reported in the Director's Report.

4.15 Spey Catchment Initiative

This was as reported in the Director's Report.

5. Spey Foundation

Peter Graham reported the latest developments in the Foundation and noted the following:-

5.1 Committee Constitution

Peter Graham reported that there were currently 7 Committee Members serving as Directors: 2 appointed by the Board; 2 co-opted by the Board, and 3 appointed on Tri-annual rotation by the Foundation. This meant that only 1 retired by rotation at any time and the Committee had resolved to look at this in more detail.

5.2 Biologist Reports

An extensive Biologist's Report had been completed and was presented to the Foundation Committee.

5.3 Conservation limits

It was noted that we would have to accept the current rules for this year, but Brian Shaw would be part of the Working Group looking at improving the methodology for calculating them in the future.

5.4 Spey Fishery Action plan

It was noted that Alistair Stephen, as Fisheries Biologist for SSE, presented details to Committee Members of the listening array within the Cromarty Firth which would monitor smolt movements. These could form the basis for gathering important information in the future.

5.5 Work programme

This was looked at in detail by the Committee and included Invasive Non-Native Species.

5.6 Peter Graham invited Brian Shaw to discuss the current situation regarding Conservation Limits and Brian reported that these were about to be implemented. There were some small changes, such as the removal of loch areas from the calculations, and all rivers now had to prepare a Conservation Plan, rather than only those in Categories 2 and 3, as originally proposed. There was no standard format yet approved for these, but they would be discussed at the RAFTS members' meeting to follow shortly.

At present only 20 rivers had been marked as Category 1 rivers. He noted that one particular issue to be focussed on was wetted areas, where there was a discrepancy between the Board's own data and the Government data. The general assumptions and modelling would also need to be closely scrutinised.

Brian felt that his job was to maintain the Spey as a Category 1 river and, with input from the Government, to put in place a programme and a model which would work.

Angus Gordon Lennox asked how the Board should deal with maintaining Category 1 status prior to the new model being put in place. However, Peter Graham felt confident that there was a willingness from all sides to get the right model in place.

It was also noted that there was no current appeal mechanism if the Category status of a river was lowered by the Government and this would be raised with Ministers.

6. AOCB

6.1 Tri-ennial Elections

It was noted that there were 9 candidates for the Election of Proprietors to the Board and the current Board resolved that there should be 9 elected places available on the new Board.

6.2 Annual Report

Both the Chairman and the Director had discussed the Report in detail and felt that it was time to update it with more a modern format and in reduced numbers for printing. They invited comments from Board Members and whilst there was a general desire to move towards modernisation, Board Members felt that it should not be at the expense of the impact of the data within the Report.

It was recognised, however, that whilst the costs of producing the Report were considerable, Board Members felt that there was no reason not to look at commercial sponsorship of the Report to off-set the cost to the Board.

7 Dates of next meeting

The next meeting of the Foundation would be 12th May with the 13th May for the Board and then in August, it was suggested that 10th August be allocated for the Foundation and the 11th for the Board.

The Open Session then closed