

MINUTE OF MEETING OF THE SPEY
DISTRICT FISHERY BOARD IN OPEN
SESSION held via video conference session
commencing at 9.30 a. m. on Friday 22nd May,
2020

Present: -

Chairman	Dr Alexander Scott	Craigellachie Fishings
Proprietors	Angus Gordon Lennox David Greer Peter Graham Toby Metcalfe William Mountain Callum Robertson Oliver Russell Dr CMH Wills	Brae Water Trust Seafield Estates Roths & Aikenway Crown Estate Delfur Fishings Easter Elchies Ballindalloch Knockando
Co-Optees	John Trodden	RSAA
In Attendance	Roger Knight Brian Shaw William Cowie	Director Senior Biologist Clerk
Public Attendees	None due to the restrictions imposed by the COVID-19 pandemic, which had necessitated this meeting being held by video conference, rather than in person.	

1. WELCOME, INTRODUCTIONS AND APOLOGIES

The Chair welcomed everybody to the meeting and noted no apologies although Grant Mortimer was not present at the meeting.

2. MINUTES OF OPEN MEETING HELD ON FRIDAY 7TH FEBRUARY, 2020

Angus Gordon Lennox raised a point regarding the pollution incident at 3.4 in the Minute. He enquired whether proposed enforcement action would be the trigger for matters becoming part of public domain. The Director would make adjustment to clarify this. There were no other comments as to accuracy and the Minutes were accepted for signature.

3. ACTIONS POINTS AND MATTERS ARISING

3.1 Action Points

There were no comments

3.2 Matters arising from previous Minute

It was noted that relative to 3.5 Tulchan Estate had now provided Ghillie representation on the Ghillies Committee and would also allow broodstock capture.

The Director also reported that the Envirocentre Report would now be presented at the September meeting, given the current lockdown restrictions.

4. BEAVER REPORT

The report circulated by the Director prior to the meeting was taken as read and questions were invited.

Q. John Trodden enquired what the “buffer zone” represented.

A. The Director reported that this was similar to a fallow strip surrounding a field on set aside. John Trodden for his part fully supported the Director’s recommendations.

Q. Angus Gordon Lennox enquired what steps the Board were taking to actively and robustly object to the introduction to beavers and what had been done recently.

A. The Director indicated that at a meeting some 2 years previously with the Cairngorms National Park Authority, it had become clear and apparent that the Park Authority understood the Boards’ view that given the inclusion within the National Park Authority of two of the biggest salmon rivers in Scotland, it would be incompatible for the Park Authority to approve the introduction of beavers. As a result, there had been no active requirement for objection since that meeting.

The Board felt however that it would do no harm to register a further objection given that there had been no active objection from the Board within the last 2 years. This was supported by the Board.

In the meantime, Toby Metcalfe reported on the Land Management on the Tay where beavers had been introduced and the particular points to note were: -

- There had been large numbers and close monitoring of beavers had been undertaken.
- The experience from famers generally was that the licence for control had not been overly onerous and that any objection to control had been principally directed at the farming community, rather than the fishing community.

- There had been a significant impact on the environment in the Tay.

The Chairman noted there had also been a relatively large cull recently undertaken on the Tay and the biologist recorded that this was important, as they had demonstrated a fairly dramatic and quick impact on the environment, including felling large specimen trees. His view was that they would have a major impact on fishing in the future.

John Trodden noted that the introduction was most likely to happen in Insh Marshes, supported by the RSPB and he wanted to know whether the RSPB were still supportive of beaver introduction. As far as the Director was concerned, the RSPB were still keen, but given the Cairngorms National Park Authority view on matters, it was very unlikely to take place.

In summary, the Chairman asked Board Members to confirm they were happy with the Director's recommendations at the end of the report and all agreed and it was determined as an action point that the Director would send a further objection.

ACTION: Director to send a further objection to beaver reintroduction to the Cairngorms National Park Authority.

5. 2021 STOCKING AND 2020 BROODSTOCK LICENCE APPLICATION

The report had been circulated and taken as read and the Director then asked the biologist to summarise.

The biologist reported that this had been the first year where either eyed ova or unfed fry were the only permitted stocking content. He reported that in general it had worked reasonably successfully, although there were some lessons to be learnt and, due to the lockdown restrictions, it was possible that the planting-out had been completed too early. As positives however, the location of every point stocked had been recorded and there had been significant involvement from Ghillies throughout the river. Monitoring would be undertaken in July. He then invited questions.

Q. Peter Graham noted that there was a reduction of 200,000 from the previous year and specifically that the Tommore burn and the Knockando burn had significantly reduced numbers. He enquired whether there was a specific reason for this.

A. The biologist replied that there was more to the Knockando burn number reduction than the installation of the fish pass and the stocking in the burn had been to effect restoration. Given that the stocking had continued for a period of 5 years it was likely that the restoration fulfilment had been reached and we had previously explained to Marine Scotland licensing that we would remove it from our stocking plans at this point. As far as the Tommore burn experiment was concerned, the Director noted that a proposal for a derogation for fed fry had been submitted to the Scottish

Government earlier this year, but had been turned down. The biologist was still keen to implement a robust experiment to compare the stocking of eyed ova with the stocking of fed fry and he noted that the most suitable burn to undertake this would be the Tommore Burn. He did not want, however, to interfere with the current programme and would therefore wait until that was concluded, prior to proceeding with the experiment.

Callum Robertson did not agree with the stocking proposal involving eyed ova and unfed fry. He felt that planting-out had occurred whilst the main stem was in flood and he felt strongly that evidence from the Tommore burn was available and that the Board should proceed on the basis of that evidence and thereby move away from stocking unfed fry and eyed ova.

In response, the biologist felt strongly that the current experiment should be followed through, as it represented a unique opportunity to see how eyed ova and unfed fry were working.

Callum Robertson also felt that the Board should still be looking at a control burn or placebo to measure the success and the biologist agreed that it would be useful to include this in the programme, although there would be resource implications in building a trap and the manpower to operate it. Other Board Members supported the idea of having a placebo or control burn and this would be investigated further.

Callum Robertson also enquired regarding succession planning for the Hatchery Manager, Jimmy Woods. The Director indicated that Jimmy was keen to continue as long as physically able to do so, but this would be an issue that they would continue to look at. One of the issues was having someone locally or living on site, but matters would largely depend on when Jimmy Woods wished to stand down.

The Chairman then asked whether Board Members supported the 2021 Stocking and 2020 Broodstock Licence Application and this was all supported by the Board, with the exception of Callum Robertson who demurred. Peter Graham also expressed disappointment that the Tommore plan had been temporarily shelved.

ACTION: Director to submit the 2020 Broodstock Licence application as approved by the Board.

6. AOCB

6.1 Return to fishing

It was likely the Scottish Government would announce a return to fishing for locals on Thursday 28th May but it was reported that for a majority of Board Members the anglers they were keen to see were those coming from a distance and angling later in the year. Board Members did recognise, though, that it would be good to be seen to encourage fishing by local anglers in the meantime. Oliver Russell confirmed that Guy Macpherson Grant and Steve Brand were discussing local fishing arrangements that morning and were also in a similar position to Angus Gordon Lennox, in awaiting the time when anglers from further afield could stay.

The Chairman made two points regarding the recommencement of fishing and these were: -

- Did riparian owners have a view on how they were going to phrase their catch returns in the current year, given that these would have an impact on rates assessment and the attractiveness of fishing to anglers the following year. He felt that this was something for proprietors to think about. Catherine Wills felt that this was a matter that could only be decided when fishing re-started and it was too early to make a decision currently. For his part, the Director noted that in terms consideration of the broodstock licencing, Marine Scotland were likely to take a 5-year average, rather than base a decision on the current year's catch statistics, given the circumstances.
- Peter Graham felt that it was politically important that beats were made available to locals following the Phase 1 relaxation, rather than being closed until Phase 3. He felt that if angling was not permitted by beats, the Scottish Government may take a dim view of general access provisions. Angus Gordon Lennox concurred with this, but he mentioned that safety was an overriding concern, as a number of Ghillies had been furloughed and any re-opening for locals would require to be closely monitored. Peter Graham felt, though, that the message should be given that riparian owners on the Spey would be allowing local access for local fishers during Phase 1 relaxation of lock-down.

6.2 Easter Elchies and Arndilly

The Chairman reported that he had received comments from anglers and individuals involved in fishing that they had been particularly concerned at the activities of Board Members in fishing during lock-down at Easter Elchies and Arndilly. He felt this had reflected extremely badly on the Board, given the overall abstention of angling during lockdown and invited Callum Robertson to respond.

Callum Robertson replied that his position was that as an owner/occupier of Easter Elchies, he was entitled, as part of his daily exercise within his own property, to

fish. He felt that there was no contravening of Covid19 travelling regulations and he felt that it was perfectly within his rights to have fished.

The Chairman responded that there had been very strong messages from anglers, particularly targeting the fact that it had been a Board Member who was involved and the Director also noted that the Police had been involved and they had encountered Jim McCaig and spoken with him. It was reported that there had been very strong condemnation within the angling community and the Bailiffs had also reported issues with individuals citing Board Members flouting regulations.

6.3 Possible postponement of Opening Day to 1st March

Callum Robertson suggested that the Board might wish to consider delaying the opening of fishing on the river until the 1st of March from a conservation point of view.

In response, Angus Gordon Lennox thought there may be issues with timeshare, but if there was going to be consideration of postponing the opening day to the 1st March, then perhaps consideration should also be given to extending the season to the 15th October to balance matters. The Clerk indicated that any changes to the Close Season would require to involve the Scottish Government, although some Board Members felt that this would not be necessary. The Clerk would investigate the position, but was strongly of the opinion that changes to the closed season would require Scottish Government approval, particularly as it constituted an offence to fish out with the closed season.

It was suggested that the biologist write a short paper on the merits or otherwise of altering the season and for further discussion to take place in due course.

Dr Catherine Wills stressed the importance of treating the river “as one” in considering whether to alter the season and said that it should not be on the basis that altering the season would suit only particular areas of the river.

As an action point, it was noted that the biologist would put together a paper on the conservation issues and it would then be a full agenda item at the next Board Meeting. In the meantime, the Clerk would investigate whether Scottish Government involvement was required. The Chairmen noted that given that the next Board Meeting was not until September, it would be too late to debate extending the Season in this current year and was also likely to be too controversial. The Director concurred with this and mentioned that there would require to be a lot of work on conservation grounds before consideration could take place. Toby Metcalfe informed the Board that the Tay had extended the season for a period of 3 years relatively recently, but had then decided to revert to the original season following the 3-year experiment. It was noted that the Clerk’s opinion on whether the Board could proceed without Scottish Government approval was fundamental and the Clerk would report as soon as possible to the Chairman.

ACTION: Clerk to advise the Board on Scottish Government involvement in a change of season and the Senior Biologist to prepare a paper on the conservation aspects involved.

6.4 Applications for financial assistance

The Chairman enquired of riparian owners whether any had been successful with grants or assistance in respect of angling interests. It was noted that whilst some had been successful in obtaining grants for angling-related holiday accommodation, they had not been successful for the angling element alone. Toby Metcalfe reported that this had been a universal problem and whilst some had been successful in obtaining rate rebates for fishing huts, he was not aware of anyone being successful with grants for fishing alone.

Callum Robertson reported that he had approached Douglas Ross MP and Edward Mountain MSP to assist in trying to get help.

7 DATE OF NEXT MEETING

The next meeting was scheduled to be held on Friday 4th September at a venue to be determined.

The meeting then closed at 11 a.m.