MINUTE OF MEETING OF THE SPEY DISTRICT FISHERY BOARD IN OPEN SESSION held in person at the Craigellachie Hotel andcommencing at 9.30 a. m. on Friday 27th May 2022

## Present: -

**Chairman** Dr Alexander Scott Craigellachie Fishings

**Proprietors** Angus Gordon Lennox (AGL) The Gordon Castle & Brae Water Fishings

David Greer (DG) Seafield Estates

Callum Robertson (CR) Easter Elchies

William Mountain\* (WM) Delfur Fishings

Dr CMH Wills\* (CW) Knockando

Peter Graham \*(PG) Rothes & Aikenway

Toby Metcalfe\* (TM) Crown Estates

**Co-Optees** Grant Mortimer (GM) Strathspey Angling Improvement Association

**In Attendance** Roger Knight Director

Paul Hughes Digital Marketing Director

Neil Torrance Clerk

\*Attending via video conference

**WELCOME,** **INTRODUCTIONS AND CONFLICTS**

The Chairman noting that the meeting is in fact a blended meeting with some proprietors (\*) attending by video conference.

1. **APOLOGIES and CONFLICT**

Apologies had been received from Guy Macpherson-Grant, Lisa Forsyth, Jennifer Heatley and Sandy Howie.

The Chairman asked those present to record any conflict of interest they may have and there were none.

1. **MINUTES OF THE OPEN SESSION OF THE MEETING ON 3RD SEPTEMBER 2021**

The Chairman requested any comments as to the accuracy of the same. AGL advised he did not represent the Brae Water Trust, and it no longer exists. It is to be noted that he represents The Gordon Castle & Brae Water Fishings. Further to that, he was stated as using the word “subservient” which he advised that he had never used in his life.

Other than that, there were no comments as to accuracy or questions.

1. **ACTION POINTS AND MATTERS**

The Action Point Summary documentproduced to the Board by the Director in advance of today’s meeting with list of points and current status referred to. The Chairman then inviting questions. Noting none and moving on.

1. **DIRECTOR’S REPORT FOR NOTING**

The Director referring to the Report produced to the Board, as usual, in advance of today’s meeting, but thereafter specifically reporting on or highlighting a number of specific aspects including: -

**Spey Dam**

The first phase of the implementation of modifications to the fish pass were completed on 18th May 2022, with LED lighting installed and a topographical survey completed. The LED lighting is adjusted by an external sensor, which matches the ambient natural light outside throughout each day and night. The topographical survey had been conducted using 3D scanning and the survey data was now being assessed. The fish pass had been de-watered whilst the works were undertaken and the water flow was passed instead through the compensation flow outlet, so as to ensure that the water flow to the river below was maintained throughout. It is hoped that a trial of the modifications to the fish pass separating walls will take place this year, with further work likely to be completed in 2023.

**Water Abstraction**

Richard Lochhead MSP had hosted a Round Table Summit Meeting on the 25th of April, which involved senior representatives from Fisheries Management Scotland, Marine Scotland (policy), Marine Scotland Science and SEPA, with the latter including a senior policy adviser attending in person and the acting Chief Executive, who attended virtually. The Director advised that he had given an extensive presentation on water abstraction throughout the Spey catchment and the findings of the latest Envirocentre Report. SEPA’s response indicated that their ecologists did not agree with Envirocentre’s conclusion that the hydro diversions at the top of the Spey had denuded the river below of its groundwater resupplies. This was challenged by the Director, who suggested that whilst we were experiencing wetter, warmer winters and hotter, drier summers, the overall level of rainfall had remained fairly constant. Therefore, there was little other explanation for the diminution of the Spey’s groundwater resupplies, other than by water abstraction. SEPA were unable to comment on this. There was, however, consensus that there were issues with the Spey that needed to be addressed. SEPA outlined their priorities for the third River Basin Management Plan, which will conclude the implementation of the legally binding Water Framework Directive. These included: the resolution of issues at Spey Dam; the re-watering of the Allt Bhran (a tributary of the River Tromie); and the re-watering of the River Cuaich (a tributary of the River Truim). He pressed for the implementation of the latter two to be undertaken in concert with the modifications to Spey Dam, i.e. completion by 2024, so that they could be proven to be effective by 2027, when the Water Framework Directive is to be completed. SEPA undertook to look at this, but could not provide an assurance.

**ACTION: Director to liaise with SEPA to identify an acceptable Third Party to review Envirocentre’s conclusion regarding groundwater resupply resulting from abstraction.**

**Beavers**

The outcome of the latest meeting of the Cairngorms Beaver Group, which had met the day before, was reported. Following the Scottish Government announcement last November of its new policy for the translocation of Beavers, a National Strategy would be published at the end of June or early July this year. It was being driven at pace by the Green Party Minister, Lorna Slater. National modelling was being undertaken to identify low conflict areas for translocations, with additional modelling focusing on Speyside and the Beauly catchments. The suggestion is that we may be one of the first recipients of beaver translocations. All such translocations will require a licencing decision by the identified licence body, being NatureScot, and the accompanying Mitigation and Management Framework still needed clarity on funding. In the meantime, the Cairngorms National Park Authority is still evaluating its position on the overall picture and it is possible it may act as a facilitator, rather than as an applicant for translocations. There is also a suggestion that it may try to become an exemplar for both mitigation trials and also a model for successful translocations. Their Board does not meet for another two weeks and as such, we need to wait to hear their policy recommendations. Discussions occurred as to the work to be undertaken in advance of any translocations, but also the need to meet government requirements and comply with legislative details.

**Spey Catchment Initiative** (SCI)

Following the Board’s discussions on the key to enhancing its approach to habitat restoration was to be through the SCI, its Steering Group was persuaded to hold a Strategy Day. This was to consider the broadening of its existing remit and the future of the organisation as an entity. That meeting took place on 28th April. Sponsorship from Diageo was obtained which enabled two external speakers to be brought in – Luke Collins, Director of the Tweed Forum, and Alison Baker, Director of the Forth Rivers Trust – together with a professional facilitator. The day was reported as a great success. Consensus was reached to expand the SCI’s work to take an even more holistic approach to the management of the catchment. There was also agreement reached to progress the SCI to becoming a legally-recognised entity, possibly as a charitable company limited by guarantee or a SCIO (Scottish Charitable Incorporated Organisation). A paper is to be produced outlining the options available, with the pros and cons for each, for consideration by the Steering Group at an extraordinary meeting in August. A review of the Catchment Management Plan is to be undertaken to formulate a new plan to incorporate the SCI’s new/larger remit. This will go out to consultation.

**The Tweed Forum and the Forth Rivers Trust**

Both have already experienced the predicament in which the Spey Catchment Initiative currently finds itself and so were well-placed to outline their experiences, from which we could learn. Luke Comins, Director Tweed Forum, explained that the Forum was a Charitable Trust and Company Limited by Guarantee which, like the SCI, operated with a Steering Group. It also has a Board of Directors of up to 12 independent trustees, particularly for governance purposes. That appealed to many of the attending representatives as something that might also be replicated with the SCI. The Forth has three distinct organisations –

* the Forth District Salmon Fishery Board with the same remit as our Board.
* the Forth Rivers Trust is their equivalent of the SCI, not the Spey Foundation, and
* Forth Rivers Consulting (with the Trust being the sole shareholder) who delivers a lot of the consultancy work.

Alison Baker explained that the Board played a less prominent role to that of the Forth Rivers Trust and sits quietly in the background, with Alison Baker as Director and Clerk, providing just one day a week of her time. They subcontract the science to the Trust to provide scientific data and monitoring, with a yearly issue as to how much is to be paid for this.

Discussions then occurred as to the relationship between the entities and how the Board might adapt as the SCI develops, so as to reduce pressure on the Assessment, with costs possibly being pushed-out to the SCI, whilst also maintaining the Board’s statutory responsibilities in respect of Salmon. However, it was to be noted that the other side of that was the shift, or perceived shift, in the decision-making process or position from the Board to the Trustees of the SCI once elected. There could also be issues of potential conflict arising on shared resources and the need for the separate bodies to work well together – specifically to not lose focus of the core drivers for the Board’s obligations and responsibilities. The Chairman concluded that this was work in progress to explore models.

**Nature Restoration Officer**

A grant of £30,000 from the Cairngorms National Park Authority reported as obtained to engage an additional Project Officer for the SCI. Gary Brown (GB) would be joining from 1st June 2022 on a 10-month contract, as a Nature Restoration Officer, with the Board acting as the employer, but at no cost to the Assessment. Reported that GB has extensive project management experience, having scoped, bid-for and implemented the Allan Water Restoration Project for the Forth Rivers Trust. It is anticipated that he will scope and prepare a substantial funding bid to the Nature Restoration Fund or Heritage Lottery Fund for a landscape-scale restoration project, to build sustainability and resilience to climate change, probably focused initially on the Conglass and Livet sub-catchments. It is seen as the first stage of building the capacity of the catchment for £1M+ bids.

**Biologist**

Further reported thatAtti Albright (AA), our new Biologist, joins us the following Monday 6th June.

**Media coverage**

The director advising that media coverage has been very successful. This had seen the Board receive more prominent and positive press coverage over the last six months than it had had over the last five years, with a significant part of that down to Paul Hughes (PH), our Digital Marketing and Communications Manager, and the work he has done to promote us on social media. The BBC interview undertaken by the Director at Craigellachie was picked-up by BBC Alba, not because of the press release put out about “Release the Spey”, but because PH put it out on social media.

Before opening the floor for comments or questions on any of the other content of the Directors report, the Chairman commenting on the number of hours being put in by the Director in the first half of the year, including late into the evening and at weekends. A vote of thanks from the Board proposed by the Chairman fully supported by the members.

WM then commencing a discussion on the induction programme for the arrival of AA, our new Biologist, to introduce him to the people on the river and the key players. The Director advising of initial plans to introduce him to the ghillies and the proprietors, as well as getting him aware of the catchment and the contract work awaiting him. Chairman and Director to discuss an induction programme.

**ACTION: Chairman and Director to discuss an induction programme for new Biologist.**

AGL then commencing a discussion on Spring Catches. The Chairman then going round the table to take comments from all the attendees, which disclosed that there appeared to be a mixed picture. The middle and upper beats on the river appeared to have made a good start, with some beats experiencing their best start to the season for the last 30 years; the lower river, however, had been particularly poor by comparison. The reasons for the latter were still unclear, but it was a pattern reflected on many other rivers across Scotland with specific reference being made to the situation being experienced on the Tay. Suggestion made that the position be scientifically reviewed and investigated by AA.

PG reverting on previous discussions on the SCI and the Director’s presentation. AGL commenting – again taking objection to the minutes of the last meeting referring to the word subservient – that while the Spey is more than salmon, his point is that if we are to raise money for the whole catchment (not just the salmon), it will have to be through the SCI and the parties involved in that. That said, he also indicated his complete agreement with the comment made by TM that the salmon should be at the core of what we as a fishery board are doing, and commented that we need to choreograph the future corporate relationship between the Board and the SCI.

WM commenting that the model for that relationship had to work, and that the one presented may not work for us. AGL, while referring to the Chairman’s comment that it is a work in progress, suggested that the conclusion is that we should continue that work in progress with a Working Group to come together to work on a suggestion for the Board. The Chairman agreeing with that concept, and with regard to prior discussions, that there has been an attempt to pursue precisely what was articulated at the last meeting, but thinking what the best way is to do that where nobody wins, nobody loses, and nobody is subservient. Agreeing with PG that we are moving in the direction of travel agreed at the last meeting.

The Director, in response to a comment made by the Chairman, commenting that before large scale projects should be taken on board, it is necessary to have the SCI developed into a formalised entity. He advised that one of the issues highlighted on the Strategy Day was that the liability in some respects, on some of the projects undertaken to date, rests with the Spey Board and the SCI partners agreed that that wasn’t right and wasn’t fair. By becoming a formalised entity, the SCI will be able to take on those liabilities from the Board.

DG commenting on how this would work and the direction of travel. Expressing the view that the key to the future SCI or Trust or other body, however structured, and it’s relationship with the Board, would be its constitution. That is what we have to look really closely at and bring proprietors along with us, to give them some comfort that we are not going to be subservient. The Chairman, in response, commenting on our role in drafting such a constitution.

**ACTION: Working Group to be established to evaluate future SFB/SCI relationship, once SCI future has been determined.**

The Chairman confirming no further queries.

1. **SFB DRAFT STRATEGY & MANAGEMENT PLAN**

The Director reporting that following on from the last Board meeting in February, when it was suggested that we put together a Management Plan for consultation with the proprietors, ghillies, angling associations and the general public, he had produced a one-page document. This commenced with our Mission Statement at the top, and was then reflective of the direction of travel from the last Board Meeting, firstly focusing on the implementation of the Scottish Government's Wild Salmon Strategy, before moving on to the improvement that the even more holistic approach to catchment management and habitat restoration could take. Seeking comments and suggestions from Board Members as to changes they might like to see to the draft and then see whether it can be adopted to go out to consultation.

The Chairman raising an issue with the ordering of things, with predator control coming first, followed by stocking second. Noting that he had previously proposed that we didn't limit ourselves just to mitigation stocking above man-made barriers, and in his opinion we should allow ourselves the possibility of applying for restoration, and even enhancement stocking. After discussion, agreeing Wild Salmon Strategy should be first, followed by predator control and stocking.

The Director commenting that if we start talking about enhancement stocking, we are going to run up against quite significant difficulties. The suggestion is that restoration stocking would be more appropriate for the Scottish Government to embrace, rather than enhancement stocking, given all of the scientific papers warning about the dangers of enhancement stocking. Stocking is an issue that is being addressed by the Wild Salmon Strategy Implementation Plan Group and expressing his belief that that it is the most appropriate mechanism to address this issue.

AGL commenting that, in his opinion, the sentence “we should also continue to work to manage the impacts of seals in the River Spey” is a bit weak. Suggesting that it is strengthened. On the issue of seals, the Director confirming that he is chasing-up Marine Scotland Licencing, as they were due to take a decision in April on the application submitted, which was for a licence to start on the 1st of May. Nothing had been heard from them by us, or any other applicant. The Director reported that he was aware that they did go back to several applicants in the middle of April and ask them to submit additional information as part of their applications by the 29th of April. Despite that deadline, nothing further had been heard and as we are now almost a month on, he is chasing them for a response. AGL raising a point of the extent of any licence to be obtained allowing seals to be shot in river and the need for there to be a sensible debate about the seal populations at Findhorn, Port Gordon and Burghead. The Director confirming that that issue is being addressed by the Scottish Government under the Wild Salmon Strategy Implementation Plan, though the meetings of that are still in its early stages.

TM commenting on the Strategy document and offering to come-up with some tweaks to the wording. In respect of strategy, suggesting that it would probably be good to reference the Board’s statutory remit in the opening section, under the heading “strategy”. In habitat enhancement, again suggesting some enhancement of the Board's role in working with partners for overall environmental improvement.

**ACTION: Director to collate further comments on the Strategy & Management Plan and then go out to consultation.**

WM querying whether we had done any hogweed spraying this year, and the Director confirming this had been started yesterday on the Mulben burn and down towards Spey Bay, with further tackling of it to follow.

The Chairman concluding the discussion on this aspect and moving to AOCB.

1. **AOCB**

WM querying whether the Board had a new logo. The Director confirming we had and apologising for not updating the slides. PH has confirmed that he has re-done the templates with the new re-branded logo.

The Clerk pointing out that we were side-tracked earlier, and the approval of the minutes was not approved and seconded as the usual practice. The Chairman queried whether there was still a need for the approval of the Minutes to be proposed and seconded. It was confirmed that this was just a convention and could be done away with. That change to protocol approved. The minutes of the last meeting are to be treated as approved subject to the two matters raised by AGL

1. **DATES OF NEXT MEETINGS**

The date of the next meeting confirmed as Friday 2nd September 2022, with both location and method (digital or in person) TBC.

The meeting then closed at 10.55 a.m.