

Argyll District Salmon Fishery Board

Minutes of the AGM & Board Meeting held at the Argyll Hotel, Inveraray on 20th April 2012

Present - Board

Roger Brook (Chair) (Awe) **RB**
Stephen Gibbs (Arran) **SG**
Caroline Fleming (Arran) **CF**
David Stewart (Creran) **DS**
Beth Nicholson (Nell) **BN**
Andrew Barker (Ruel) **AB**
Robert White (Add & Barbreck) **RW**
Ross Appleyard (Add & Barbreck) **RA**
Jimmy Middleton (Tenant nets men's rep)

Present - Others

Richard McKenzie **RMcK** (LAIA)
Neil Currie **NC**
Jane Wright **JW**
Hyon Mi Rho
Craig MacIntyre (Clerk/AFT) **CM**
Daniel Brazier (AFT)
Helen MacIntyre (Administrator)

Apologies - Board

Tuggie Delap (Fyne)
Andrew Montgomery (Fyne)
Michael Handley (Nell & Euchar)
Tony Huntington (Awe)
Patrick Bowlby (Ruel)
Iain McArthur (Kintyre)
Colin Burgess (Carradale)
Willie Shaw (Salmon angling rep)
Laurance Larmour (Salmon angling rep)
Elaine Jamieson (Forestry commission)
Jim Sharp (Salmon angling rep)

Apologies - Others

Danny Hadley
Mary Brown
Bebe Corbett
Tom Turnbull
Ewan MacLachlan
Ian Tegner
Duncan Rogers
Patrick Lowe
Duncan Ritchie
Alastair MacKellar
David Sutherland
Lady Fiona Campbell Byatt
Stuart Cannon
Rosie Campbell-Preston

1. Apologies were offered.

2. Minutes of the Board meeting of 28th October 2011. SG proposed that the minutes be accepted and DS seconded. They were adopted unanimously.

3. Matters arising

Tuggie Delap thanked Alan Kettle-White (Argyll Fisheries Trust) for his appearance on the gaelic program Turas a' Bhradain (The Salmon's Journey).

4. Re-election of Board members

Most Board members stood for re-election. Tony Huntington stood down, with Rosie Campbell-Preston standing in his place. Colin Burgess stood down. Those present agreed to elect and re-elect all those standing. RB commented that the Board is getting smaller but he was happy that it is still representative. AB proposed RB as chair, JW seconded it, and all agreed. RB said that since the Board was set up in 2006 he hasn't found anyone else who is interested in being chairman, and that he has perhaps slightly neglected the chair because of also being chair of Rivers and Fisheries Trusts of Scotland (RAFTS). DS pointed out that being chair of RAFTS actually helps his knowledge and benefits the Board.

5. Finance

a) 2011 accounts

CM gave a summary of the accounts, pointing out that there was a deficit of just over £1000 in 2011.

b) Levy recovery and repayments to RIAs

See Clerk's Report for figures. CM pointed out that 2011 was the first year that levies had changed due to the re-assessment of fishing valuations and that many proprietors had seen significant increases in their levies. Arran are challenging their re-assessment so the Board accepted 20% of their levy for 2011. The Board will start issuing solicitor letters to all non-payers of levies. DS asked why the Awe district has a large amount unpaid. CM explained that one proprietor sadly passed away and that we expect to get their levy payment eventually.

6. Aquaculture & Fisheries Bill – Implications for DSFBs

RB explained about the Scottish Government's bill. The Argyll Fisheries Trust and ADSFB responded to the recent consultation on the bill. The bill looks good and is basically a list of all the things we would like to see regulated. The aquaculture industry are not happy with it. The bill looks at boundaries for fish farms relating to movement of fish and disease and who should set the boundaries. We said the government should but industry said they should. With regards to farmed salmon sea lice data, the industry wants to aggregate all data in an area but this covers up bad farms by averaging them out with good ones. The bill also includes powers for the government to collect genetic information so they can trace escapes of farmed fish. There is a section on the duties of District Salmon Fishery Boards (DSFBs), including a Code of Good Practice. This should not affect us as we already adhere to a Code. A section on carcass tagging for netted fish will apply more to the East Coast than us. RB summarised that there is nothing in the bill that threatens DSFBs if we stick to what we are or should already be doing. The bill calls for the right to tighten fish farm legislation, and our response is supported by SNH, SEPA and the Crown Estate. The salmon industry is against everything in the bill. The Government is currently analysing comments on the bill and it will then go to committee. It will be autumn before we get a completed bill. RMcK asked whether lice numbers are assessed by farmed sites or by companies. CM said farmed sites. We have pointed out that Marine Scotland Science have some of the powers in the bill already but that they are not using them.

7. Code of Good Practice - Good governance of ADSFB and what is required of DSFBs

RB explained that the Association of Salmon Fishery Boards (ASFB) have put out a 21 page Code of what is required of DSFBs. It can be found at <http://www.asfb.org.uk/wp-content/uploads/2011/11/Code-of-Good-Practice-for-DSFBs-2011.pdf> DSFBs are unique in that they are allowed to manage their own fisheries on a statutory basis. There is nothing like this in England, Wales and Northern Ireland. ADSFB already does most of the things in the Code, but RB had comments on particular issues. The Board has devolved some of its power to River Improvement Associations (RIAs) but we want to know more about what RIAs are doing. We also need to do things in a more public way, and will set up a website to help with this. The Code addresses the need for DSFBs to work with Fisheries Trusts. ADSFB and AFT have very different remits but the same objectives and they work well together. The collection of catch return data is an important part of the Board's work, but we are still finding it difficult to collect enough and accurate returns. The Code highlights the need for clearer rules and policies about hatcheries and stocking. Rules about catch & release and fishing methods are also addressed in the Code. We need more information across the district. RIAs can manage this but must keep us informed.

RB concluded that there is nothing different in this code than we have or should have been doing. If it becomes a legal requirement there is nothing we don't wish to comply with. SG pointed out that there has to be a cut-off point for rivers that are small/not fished. RB agreed, saying that the people making the rules are thinking of the big rivers like the Tweed, Dee etc. The Board is looking now at whether we should delist some of the small fisheries. JW said the first five years of the Board were to look at rivers and see whether they are a fishery or not. CM pointed out that in Kintyre many rivers are sea trout spawning rivers and not fisheries. RB said that equally some rivers may have potential and need improving to turn them back into a viable fishery.

8. Executive Committee - Proposal for a joint Executive Committee for ADSFB & Fisheries Trust

It is proposed that a joint executive committee would run ADSFB and AFT. RB found that he had come to run the board with the Clerk and that is not right. Future meetings could be scheduled with a Board section, joint reports, then a Trust section. Board minutes will always be published to Board members and nothing hidden. AB said the Trust have unanimously agreed about a joint committee. They currently have four

people plus a representative biologist. Two, Kenny Black and David Milburn, are not directly involved in the Board. Voting on either Board or Trust issues would only be allowed by those who were involved in that area. Tuggy Delap has agreed to be co-opted onto a joint executive committee. RB asked if those present were happy with the proposal and all agreed. AB asked that a proprietor who is not involved in the Trust should be on the committee. RB asked Ross Appleyard, who said he would consider it. RB said the joint exec committee would report back on how it is going.

9. 2012 Levy & Proposal

RB explained that he consulted a Fish Legal lawyer to ask about splitting the levy into two parts which do not have to apply to everybody, and they confirmed this was ok.

The levy proposal has three options: 1) Levy roughly remains the same, with slightly larger percentage retained by the Board to cover increasing costs; 2) The other extreme – the levy is only large enough for the Board to cover admin costs and there is no money for improving fisheries, plus a bailiff levy for districts with a full time bailiff; 3) Board levy covers admin plus some money for fisheries improvements, plus bailiff levy.

The discussion centred around two main views: RA believes that the angling club on the Add do not send in correct returns because they cannot afford the levy that would be charged on their catch, and if the levy was lower they might put correct returns in. AB understands this but the Ruel has a part time bailiff which they wouldn't be able to afford to pay if the RIA didn't get money back from the levy and doubts they would be able to collect voluntary payments from the Ruel proprietor if the levy refund was cut. RA runs a not-for-profit syndicate and can't make enough income to cover the high levy. SG thinks the assessment rate of £40/salmon and £10/sea trout is too high and encourages people to lie about their catches. RB suggested a compromise – to alter the wording of the proposal option 3 so it says 'paid bailiff' rather than 'full time bailiff', and therefore the Ruel would be able to get the bailiff levy. SG said he doesn't think they can afford option 3 on their re-assessment rate. RB offered that the Board recalculate their rate on the same basis as the rest of Argyll (Arran are under the Ayrshire District Assessor) and apply the levy to that rate. SG agreed. The conclusion of the discussion was that the **Board adopt a re-worded Option 3 'Board levy £1 plus a bailiff levy of £1.30 only payable by Districts with a paid bailiff'** and Arran assessments would be recalculated to match the rest of Argyll. All agreed and the motion was passed. RB said the executive committee would review this in a year.

12. ASFB/RAFTS report

RB gave information on the latest developments and news at the Association of Salmon Fishery Boards (ASFB) and River and Fisheries Trusts of Scotland (RAFTS). The Government recently arranged for professional facilitators ACAS to chair a meeting between wild fish groups and the salmon industry. At the meeting the Scottish Salmon Producers' Organisation (SSPO) refused to acknowledge the link between wild and farmed fish, even though individual producers accept the link. This meeting has shown the government that it is the farmed fish industry that is the troublemaker, rather than wild fish groups which had previously been seen as causing trouble for the salmon industry. One fish farm company has agreed to release their data and give information to help identify escapes.

The Salmon & Trout Association have just published a report exposing sea-bed pollution of Scottish sea-lochs. They say that FOI material on sea-bed monitoring near Scottish salmon farms calls into serious question salmon farmers' claims that 'aquaculture offences are uncommon' and that 'the aquaculture industry has no history of regulatory non-compliance'. The benthic samples showed high levels of pollution, including some illegal substances.

RAFTS has funding to produce 'locational guidance' which will assess the risk to Scottish water bodies from aquaculture from a biological/scientific point of view. This is important for the wild fish sector as it will allow us to decide which fish farm sites to oppose more than others, as currently we just oppose all sites and this is no better than ignoring them as some sites will always be given the go ahead. It will also potentially help with getting existing farms moved.. This research is a very important step forward, but we won't see results for at least a year. NC asked if farms will be compensated for having to move. RB hopes not, but they used to be. JW asked if the work will be tied in with sea lice modelling data. RB said yes the guidance will be constantly improved as more data comes in. RA said he has a contact at an organisation called Food Animal International Initiative that may be worth looking into. He will find out more about them.

10. Clerk's report

CM provided a summary of the Clerk's report. Issues raised:

Wind farms – There are a few in the pipeline. Disturbance during construction is the main issue for wild fish. The development at Glen Lonan, which is going through planning now, may be a problem as they have not looked at all at the effects on wild fish. RW asked why doesn't the Board consult RIAs when they get windfarm/hydro consultations. CM said it had been a timescale issue but he will in future.

Aquaculture – CM observed that Dawn Fresh in Loch Etive appear to be a better company now, and is hopeful that farms will be operated correctly.. A site on Arran has had objections by SNH. One at Skipness has been withdrawn.

Firth of Clyde Area Management Group – are meeting again.

Farmed fish escapes – Scottish Sea Farms lost 8800 harvest size fish from a Loch Linnhe site during harvesting in storms in December 2011 and none were recaptured.

Seal licence – The 2012 quota was reduced from 2011 as we only shot three seals in 2011. We have more marksmen licences than we need as an insurance in case we need them in future. The Board has issues with a seal marksmen course which now costs £600 each and lasts for three days, and the Marine Scotland have said all currently licensed marksmen need to have sat it by Jan 2013. We are refusing to pay for marksmen to do the course as we believe it should be free. The issue has been raised with the Association of Salmon Fishery Boards.

11. Argyll Fisheries Trust Report

CM gave a summary of AFT's work. The report is available to anyone who wants it – please contact Helen MacIntyre. The report is also available online through AFT's website at www.argyllfisheritrust.co.uk/documents.html.

12. RAFTS

At the RAFTS conference it was said that Scottish trusts have proven good at implementing projects. Current projects include invasive species and barrier removal. There is a real drive to eradicate mink. Due to the current economic climate, SNH and SEPA have pulled back funding from local offices so there is little money for small local projects. However, there are still big pots of funding for larger projects available from the central parts of the organisations.

FishPal

CM explained that the pages are currently being written for River Awe and River Orchy, with the fine detail to be sorted out. The Ruel is holding off putting up their information for the moment. RB commented that FishPal is the future for fishing bookings, and it will be a big subject at the next Board meeting. We need to get more proprietors on board. Loch Awe is currently the biggest ticket seller in Argyll. CM pointed out that catch returns are compulsory from people that book through FishPal, the same as for those who don't.

13. Date of next meeting – Wed 24th October 2011 (time to be confirmed), Argyll Hotel, Inveraray, in conjunction with the AFT AGM.

DS gave a vote of thanks to RB for chairing the Board for the last 6 years.