



Kyle of Sutherland District Salmon Fishery Board

Ordinary Meeting

Friday 6th April 2018 at 10.30 am

Kyle Fisheries Office, Ardgay

Present:

Richard Sankey (Chair) - RS
John Green - JG
Alex Hunter - AH
Ashe Windham - AW
Williams Patterson - WP
Crispian Cook - CC

Attending:

Steven MacKenzie –SM
Keith Williams –KW
Michael Baird -MB
Alistair Stevens – AS (SSE)
Iain McMyn – IM (SSE)
Annie Greenwood - AG
James Greenwood – JG
Sean Robertson – SR

Apologies:

Nicky Griffiths
Gary Gruber
Robbie Douglas Miller
Peter Routledge
Richard Fyfe

Minutes:

Jacqui Hamblin

1. Welcome

RS welcomed all to the meeting and introduced Sean Robertson as the new Science and Mitigation officer. RS noted apologies.

2. Minutes of Ordinary Meeting held 2nd October 2017

- i. Procedural error – KW noted that there was a procedural error at the elections in that the Chairman was elected prior to co-options taking place. However, given that there was only one candidate for Chairman the meeting considered that no material changes to the outcome of the election occurred.
- ii. Minutes were approved without alteration.

3. Actions and Matters Arising

| No | For | Detail | Raised | Complete by |
|----|-----|---|--------------|-------------|
| 1 | KW | Contact George Skinner re attendance and active board membership. It was understood that that Mr Skinner was not in particularly good health. Ask WP to approach | October 2017 | Immediate |

| | | | | |
|----|---------|---|--------------|---------------------|
| 2 | KW | Put costings together on Drone use. <i>KF have had offer of support from fishing tackle company. AS- Chris on Ness using drone, talk to them. SR- used drone on the Spey, £1300 license and cost of drone looking at £5K. RS- Cost on top of that the software to interpret although used increasingly for habitat work giving a cost benefit. AS- thermal imagery to link in with MSS prediction, temperature capture Enforcement? Action KW/SR More capacity to look at this, explore further.</i> | October 2017 | As soon as possible |
| 3 | KW | HC Dornoch netting lease liaison. <i>Covered in report</i> | October 2017 | Immediate |
| 4 | KW/JH | Establish which proprietors are VAT registered. | October 2017 | As soon as possible |
| 5 | KW/JH | Contact Susie Swift get opinion on our VAT situation. <i>KF accountants have merged with larger company that have dedicated Tax department</i> | October 2017 | As soon as possible |
| 7 | JH | Circulate proposed new meeting dates. | October 2017 | Completed |
| 8 | JH | Give access to Dropbox to new board members and investigate issues. Time limit response to new Governance documents. | October 2017 | Completed |
| 9 | KW & RS | Establish a vehicle replacement policy. Covered in agenda | October 2017 | March 2018 |
| 10 | KW | Identify provision in budget for successful appeals. Now highlighted | October 2017 | Immediate |
| 11 | KW & RS | Revisit reserves policy. On agenda | October 2017 | March 2018 |
| 12 | KW | Complete negotiations with fish farm operators. Long way down line. Item on agenda | October 2017 | As soon as possible |
| 13 | KW | Establish meeting with all agencies and stakeholders to discuss Upper Shin situation. Concerns sub strains, spawning. In conversation and RDM, C/Fwd. | October 2017 | End November 2017 |
| 14 | KW | Contact solicitors regarding Invercharron. On agenda | October 2017 | Immediate |
| 15 | JH | Remove netting buyout link on website. Done | October 2017 | Complete |
| 16 | KW | Speak to appropriate agencies re Fleet. Concerns less than desirable activities. | October 2017 | As soon as possible |

4. Standard Items
 - i. Declarations of interest in agenda items to be discussed. None.
 - ii. Complaints – no formal complaints
 - iii. Health & Safety – no reportable incidents however one bailiff suffered a sprained ankle and there had been a near miss on the Fiag trap when the winch cable snapped. The Fiag and Tirry trapping operation utilises SSE risk assessment, that is extensive and thorough process. A program of inspection /replacement of wires every two years will be introduced.

5. Governance
 - i. Data Protection Policy – New laws from 25th May 2018 – General Data Protection Regulations. JH provided a new draft policy. Key differences are that opt in will be compulsory; right of access expanded; privacy statement published and processes documented. Awaiting FMS coming back with legal viewpoint. **Action JH (7) complete policy and communicate privacy statement.**
 - ii. A draft Reserves Policy was presented – JG suggested it was sensible to have a contingency reserve of up to £60k plus any ring- fenced funds. AW suggested that KF would not necessarily lower the assessment just because it achieved £60K reserves. Appeal funds contingency was in place. RS stated that presently the financial situation was relatively stable. The policy was adopted.
 - iii. Vehicles Policy – RS stated the aim was to smooth out capital impact costs. AW asked if we had looked at leasing as a possibility. RS confirmed that it had been looked at but it can come with risks. At the time we had a one off opportunity to purchase new and made the replacements at substantial discounts. The policy was adopted. AS suggested we look at sponsoring vehicles with advertising. Beatrice fund more wide reaching than before. **Action KW (8) to explore.**
 - iv. Governance documents in Board dropbox with a limited approval time period. KW advised that Governance documents were now in separate handbooks. Operational Handbook, Employee Handbook, Health & Safety and general Governance. End of May to approve Governance documents only. **Action JH (9) send email with link for viewing.**
 - v. RS - AW joining Joint Management Group and Board of Trustees. JMG now RDM Board, AW Trust, RS Chair, KW Director. JMG purpose is to direct and steer director.

6. Directors Report

Health & Safety

An incident occurred in early February when John Audsley twisted his foot on the office steps. His foot was examined by a doctor but he did not require hospital treatment. This has been entered in the Accident Book. We will paint the step with non-slip paint to reduce the risk of slipping in future. A near miss occurred when a winch cable snapped on

a rotary screw trap during a period of high flows.

Staffing

The post of science & mitigation officer was advertised. I and Chris Conroy from the Ness interviewed one candidate, Sean Robertson. Sean has an MSc in fisheries science from Aberdeen University and worked for the Spey DSFB in the summer of 2017. He was offered the post until the end of the calendar year with a review taking place at that point. We have also approached Connor Gilmour who worked with us as a seasonal bailiff last year with a view to him helping out with the smolt work from May onwards and then continuing as a bailiff until September. John Audsley is currently undertaking his IFM Certificate course. Iain Gollan has undertaken a chainsaw course at Inverness College and Phil Blowers will undertake the same course in April.

Catches

A modest number of January/February fish were caught but generally catches have been low as indeed have catches throughout most of Scotland. Catches appear to be improving locally and nationally at the time of writing (week beginning 26th March).

Enforcement

The boat has been launched and tested and canoe patrols are now being increased as fish numbers improve. Liaison with bailiffs from neighbouring areas continues to improve.

Marine Scotland Acoustic Receivers

This project involved the deployment of receivers as part of a network in Scottish rivers. Adult salmon caught at Armadale netting station on the North Coast were tagged and subsequently released. The receivers have been retrieved, returned to Marine Scotland Science with an invoice submitted for the work we undertook. It is anticipated that a report will be received in due course.

Dornoch Netting Lease

I attended a Dornoch Community Council meeting in order to try and enlist their support for the renewal of the five year netting lease between Highland Council and the Board. The Community Council were sympathetic but the Highland Councillor present, who had input into the renewal process, felt that the asset was worth considerably more than the current rental. He was aware that at present the station cannot be legally operated. I have subsequently been asked to attend a meeting with Highland Councillors in Lairg on 9th April to discuss the situation. **Action KW (3) to attend Lairg meeting and report back to JMG and the Board.**

Glenn Beag

A site meeting was held on 29th March at which SSE, SEPA and the Kyle Board staff were present. The head pond was dewatered in order to facilitate the changing of the compensation flow from winter to summer levels. In 2017 electro-fishing showed the presence of putative trout/salmon hybrids upstream of the structure. This evidence supported the reports from Alladale of seeing salmon upstream of the structure during the spawning period in 2016. The likely route of ingress through the structure was identified during the site visit and potential remedial action is now being considered.

*AS added that the – CAR licence is complex for this scheme. Richard Fyfe from SEPA, who was present at the site visit, had identified some potential solutions. It was vital that any solutions were based on evidence and an understanding of what was trying to be achieved. AH noted that he felt the Carron proprietors would seek to look after the fish rather than fishing. KW and AS both felt that it was obvious how salmon were accessing areas upstream of the dam. KW felt that there were three potential solutions. 1. Install a temporary screen at the scour valve to prevent ingress of fish. This would have H&S implications for SSE. 2. Net out fish prior to plate being changed. 3. Do away with plate and establish a flat compensation flow. Agreement would be needed from Carron proprietors regarding any changes to flow. **AS action (10) to report back to Board once internal SSE discussions have taken place.***

Smolt Trapping

Traps at Fiag and Tirry were deployed by SSE and traps at Merkland and Corriekinloch were deployed by Kyle Fisheries. All traps are now in operation and are being manned by SSE and Kyle Board staff. A full update will be given at the Board meeting under the agenda item. If water levels allow we intend to deploy a small smolt trap on the upper Cassley for a limited period. The aim of this is to ascertain the size of the smolts for potential future tagging studies. The trap can be checked as part of routine bailiffing operations.

Migdale Smolts –Planning Application

An application has been submitted by the operator to Highland Council to remove the ten year limitation to planning permission. I am currently considering our response.

KW- Planning permission for Migdale Smolts up for renewal 12/4/2018. Waiting for a key piece of work regarding genetic integration from UHI. There should have been monitoring and recording of the health of wild stocks for the last 10 years. We need to influence planners to get behind accreditation system Aquaculture Stewardship Council. AW – try and get reduced to 5 years they were obligated and failed to monitor and provide data.

Fish Health Inspectorate Report

We have successfully passed our routine inspection of the hatchery facilities.

Proposed Moray Firth Smolt Tracking Project

I recently attended the first meeting of the steering group for the proposed AST Moray Firth tracking meeting in Inverness. More details of the proposed project are likely to be forthcoming in the near future.

Consultations and Other Activities

- I attended the two day SFCC annual meeting at Pitlochry.
 - I attended an SSE health and safety workshop.
 - A response was submitted to the Scottish Parliament committee considering the SAMS aquaculture report. The report correctly identified the major issues; however it did appear to place more emphasis on marine rather than freshwater concerns.
 - I responded to a further scoping request for the proposed Lairg – Loch Buidhe transmission line upgrade.
 - I completed the FMS online survey on behalf of the Board and the Trust.
 - I met with Neil McInnes to discuss water quality issues on the Oykel. Potential options to determine the sources of silt are being considered which may also be applicable to the Shin and other rivers.
 - I have met with Iain McMyn and had numerous telephone conversations with him regarding the 2018 smolt trapping operation.
 - I have completed river reports for the FMS annual report.
 - The office hosted an SFCC GIS workshop.
 - Jacqui and I met with the website company we have used for many years with a view to redeveloping the site. This will be considered as an agenda item.
 - We participated in the trial use of radios on the River Shin.
 - Staff appraisals were undertaken trialling a slightly different system.
 - I attended a SEPA meeting in Fort William to discuss waterbody classifications.
 - I responded to the consultation for a scoping request for the proposed Garvary wind farm.
7. Budget & Finance
- i. 2017-2018 – RS noted that the presentation of financial information was much improved and commend Keith and Jacqui for getting the documentation into good shape. The expenditure on vehicles of £69K was not budgeted for but the Board had been made aware of the likely levels of expenditure in order to update the vehicle fleet. Forecasted £18K surplus but

will likely end the financial year with a £16K deficit. Savings had been made in certain areas, although staff training had exceeded the budget. The website was significantly over budget as new website being built. CC asked for clarification regarding 2017-18 assessment figures.

- ii. 2018-2019 – the initial budget draft was presented. Staff wages were based on a 2% pay increase. Staff costs were high due to new member of staff and continuation of seasonal staff. The hatchery was being placed on a care and maintenance programme. Cost Centres will be shown separately and will be transparent on the new Budget forecast.
8. 2018 River Classifications
KW replied to the consultations. No major changes to individual classifications were made for the Carron, Oykel and Cassley (Category 1) The Shin had been altered from Category 2 to 1, despite all the water bodies upstream of Lairg Dam being downgraded by SEPA for WFD purposes. The Evelix is still a Category 3, moved demarcation point to a few hundred meters downstream of Bonar Bridge. SM noted that the Cassley will be more extensively fished in 2018 and asked if this could negatively affect the Oykel category. KW responded that as currently rod effort is not included in the process then if any higher rod catches would likely increase the likelihood of the Oykel and Cassley remaining a Category 1 fishery. RS asked WP about arrangements regarding netting compensation from the Scottish Government. WP responded that the Government is set to compensate certain players but is leaving others out. Compensation is based on catch figure returns submitted and on expenses. If you did not submit returns you will not receive any compensation. There is presently a moratorium on fixed engines 2018 being the last year of the 3 years. It is presently unknown what will happen next. WP reiterated that seal predation was a major issue.
 9. Conclusion of SSE agreements
RS noted that the old agreement had been terminated as it was not fit for purpose. Specific agreements been negotiated for the Carron, Shin, Kyle rivers in general hatchery and science for a period of five years AS noted that John McDonald apologised for delays in legal draft agreements. SSE was committed to long term mitigation. RS added that the Board and the Carron proprietors had not always been in harmony historically but the Board was now evidence based management. Stocks of Atlantic salmon were under threat due to climate change, predators, obstacles etc. The annual report shows positive reading, our present level of catch decline is a fraction of the national picture. Resilience is built in to this catchment and the focus is on maintaining this.
 10. Invercharron fishings
KW legal advice had been taken regarding the letter received from Invercharron representatives. . **Action KW (11) Speak to legal representative to confirm present situation.**
 11. Loch Shin aquaculture and trapping

KW informed the meeting that four traps were operating at the moment. Tirry & Fiag were being operated with SSE, no wild smolts had been caught as it had been very cold. Merkland and Corriekinloch were being operated with help from Migdale smolts. Around 30 putative farmed fish had been captured to date. Simon Dryden and Charles Allen were being updated about the present situation. James Greenwood encouraged the use of Shin gillies Alick and Robbie in the trapping operations. KW thanked Mr Greenwood for the suggestion and hoped that they could help fill in gaps in staffing although this had proved difficult to date due to persistent problems with one of the traps.

12. Website & Social Media

- JH gave a brief view of the new website visuals with plans to make the site more user friendly, have a donate option and promote the work we do.
- SR spoke about using Facebook and a trial with a closed group. SM expressed concerns about using Facebook to a wider audience. **Action SR (12) invite board & trustee group to Kyle Facebook page for feedback**
- JG – Kindly offered to provide photographs for website and shall place in dropbox.

13. AOB

RS - A glossy version of the annual report would be expensive to produce. He suggested an in-house report with covered binder should be put into all the fishing huts and beats, hotels and lodges. This was about connecting the anglers with the activities. The Trust was looking for new members, subscriptions and legacies.

Action JH (13) to produce bound report for huts and beats.

AG – felt that re-stocking with salmon juveniles was required on the Shin due to the decline in rod catches and in turn the number of anglers wishing to fish the Shin.

SR - suggested projects and specific posters. Tailor to individual rivers. **Action SR (14) to explore.**

JG - suggested collection boxes for donations to the trust. **Action KW (15) to explore.**

AW – Regarding the proposed Caplich windfarm a report has been sent to Paul Wheelhouse. It could be anything up to 2 years before a decision is made.

*(Afternote: On 27th April Scottish Ministers give notice that they have **refused consent** for this proposed development. There is an outside chance that the developer may opt for a judicial review of the decision, the deadline for the submission of which is midnight on 19 July).*

Vicarious liability training is required. Every 2 years an audit should be undertaken.

IM – asked if the Evelix fish counter is working. RS confirmed it was but the owner wants to collate data over a period of years before sharing. Concerns that real time

data sharing could encourage poaching. We have asked for retrospective data as the absence of data has influence on river categorisation. Likely to be 5 years of data collected before sharing takes place.

CC – asked KW to raise with FMS what policy is regarding biosecurity measures.
 CC – Will stand down from board at end of May – RS thanked CC for contribution & KW thanked CC for help and advice over the years.
 RS – Board looking for new representative from the Cassley.

AS – SSE were in the process of upgrading our Mk11 with Mk12s although it would take a few months to sort out IT issues. Intention is board to have access to the data through supported software, an interface in development. JG noted that anglers always ask how many fish have gone through etc.
 AS stated that he was approximately 2 years from retirement and that succession planning with IM and another colleague was being put in place.

WP expressed concern on the lack of re-stocking of the fishery. In 4 years time the situation will be dire. AG noted the lack of spawning gravel on the Shin. AS countered that the wrong flows were in place on the Shin. AG stated that she was really concerned about main stem of the Shin. RS stated that solutions must be based on sound science. JG queried what is the carrying capacity of the Shin in relation to juveniles? KW will be electrofishing more on the Shin over the next few years. KW noted that Parr density was circa 45 per 100 sq. metres at one of the sites he fished on the River Shin in 2017 which he considered high. RS stated that evidence shows re-stocking does not work and that the vast majority of stocking has been detrimental. WP disagreed. It would be interesting to reinstate Grudie trap to undertake a long term study on what that stocking does to fishery resources. KW If we do stocking again it will likely be for more targeted restoration purposes.

Meeting closed.

Next meeting: Friday 29th June 2018

Actions

| No | For | Detail | Raised | Complete by |
|----|-----|---|--------------|---------------------|
| 1 | KW | Contact George Skinner re attendance and active board membership. It was understood that that Mr Skinner was not in particularly good health. Ask WP to approach | October 2017 | Immediate |
| 2 | KW | Put costings together on Drone use. <i>KF have had offer of support from fishing tackle company. AS- Chris on Ness using drone, talk to them. SR- used drone on the Spey, £1300 license and cost of drone looking at £5K. RS- Cost on top of that was software to interpret. Used increasingly for habitat work giving cost</i> | October 2017 | As soon as possible |

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| | | <i>benefit. AS- thermal imagery to link in with MSS prediction, temperature capture Enforcement? Action KW/SR More capacity to look at this, explore further.</i> | | |
| 3 | KW | Dornoch netting lease complete negotiations with HC to ensure not released to public. Action KW Attend Lairg meeting and report back. | October 2017 | As soon as possible |
| 4 | KW/JH | Establish which proprietors are VAT registered. | October 2017 | As soon as possible |
| 5 | KW/JH | Contact Susie Swift get opinion on our VAT situation. <i>KF accountants have merged with larger company that have dedicated Tax department</i> | October 2017 | As soon as possible |
| 6 | KW | Establish meeting with all agencies and stakeholders to discuss Upper Shin situation. Concerns sub strains, spawning. In conversation and RDM, C/Fwd. | October 2017 | End November 2017 |
| 7 | JH | Data protection GDPR – complete | April 2018 | 25 May 2018 |
| 8 | KW | Vehicle advertising sponsorship | April 2018 | June 2018 |
| 9 | JH | Governance Documents approved send email link to board members. Sent | April 2018 | Immediate |
| 10 | AS | Report back to the board on options for remedial action at Gleann Beag | April 2018 | As soon as possible |
| 11 | KW | Invercharron fishings – Kw to speak to legal representative to confirm present situation | October 2017 | As soon as possible |
| 12 | SR | Facebook closed group invite board members for feedback | April 2018 | Complete |
| 13 | JH | Bound Annual Report for huts and beats | April 2018 | As soon as possible |
| 14 | SR | Project posters for huts and beats etc. | April 2018 | As soon as possible |
| 15 | KW | Explore collection boxes for huts | April 2018 | As soon as possible |