

Kyle of Sutherland District Salmon Fishery Board



MEETING TITLE: Board Ordinary Meeting

Meeting Date: Friday 3rd April 2020

Meeting Time: 9.30am

Meeting Place: Video Conference call

MEETING MINUTES *(Draft)*

Chair/Facilitator: Richard Sankey

Minute taker: Jacqui Hamblin

In Attendance

Board	Attending
Richard Sankey (RS) Chair Robbie Douglas Miller (RDM) Ashe Windham (AW) John Green (JG) Rob Whitson (RW) Keith Williams, (KW) Clerk Nicky Griffiths (NG) Alex Hunter (AH)	Steven MacKenzie (SM) KSFT Michael Brown (MB) KSFT Jacqui Hamblin KSDSFB Sean Robertson (SR) KSDSFB
Apologies	
Gary Gruber Peter Routledge Iain McMyn	

1. Welcome

Richard Sankey – Chairman, KSDSFB.

RS welcomed members of the Kyle of Sutherland District Salmon Fishery Board and the Trust to this online meeting. The Board annual public meeting has been postponed. The Trust meeting has been cancelled and members of the Trust have been invited to attend this meeting. The Covid 19 crisis is a priority and there will be discussions on how to manage the impact locally and review the bigger picture.

2. Approval of Minutes – Board Ordinary Meeting held 27th September 2019

Minutes approved without amendment

3. Actions and Matters arising

Open Actions B/Fwd.

Open B/Fwd.

No	Action Title	Actions	Owner	Raised	Complete by
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Kyle of Sutherland District Salmon Fishery Board

1	CARRON GLEAN BEAG	<p>Action KW - disseminate times and dates of plate being changed at next Carron proprietors meeting and to write a draft document explaining the present situation.</p> <p>Action KW/SR/IM - talk about the feasibility of introducing a sonar device to monitor movement of fish when the ground sluice is opened.</p> <p>KW Alternative strategy being developed i.e. compromise flow to negate need for plate changing. Sonar element therefore redundant.</p>	KW KW/SR/ IM	June 2019	Ongoing
2	DUCHALLY	<p>Action – SR to contact Andy Jacobs regarding Duchally, and to copy IM into email chain. Report back at the next board meeting.</p> <p>Information now received. Complete.</p>	SR	June 2018	Complete
3	HEALTH & SAFETY	<p>Health & Safety policy to be updated</p> <p>Review undertaken. Requires final staff meeting to formally complete process.</p>	KW/SR	October 2018	December 2019
4	SSE AGREEMENT	<p>Draft received was unacceptable and request made for more concise agreement. SSE advise it's with their legal department RS. Doubt we are vulnerable in meantime. RDM asked if we ever got a conclusion. RS advised that not received new agreement yet. KW explained that stuck with SSE legal team. RDM can we move this forward. Action KW Can raise again with IMcM.</p>	RS	October 2018	ASAP
5	KEEP EM WET	<p>“Keep em Wet” campaign seems to have lost momentum and new material still not available. Action SR look elsewhere. SR and Daniel Logie keen to do video on best practice. Postpone until autumn.</p>	SR	October 2018	October 2020
6	KEY MAN INSURANCE	<p>Key Man insurance ensures the ability to pay salaries and cover</p>	KW/JH	June 2019	October 2019

Kyle of Sutherland District Salmon Fishery Board

		the cost of bringing someone else in. <i>Received quote from NFU through AIG. Business Protection on KW quoted at £67.28 per month, covers £50K Business critical Illness & £50K Business term assurance. RS advised that this will be put back until the crisis is over and restrictions are lifted.</i>			
7	VICARIOUS LIABILITY	Re-visited with David McKie and requested possible dates and or bolt on when in area. Introduce option to attend to neighbouring boards <i>DMK suggested bolt onto Skibo in April, now postponed.</i>	RS	April 2019	ASAP
8	CROICK ESTATE	KW will raise the fishing rights issue with James Hall at the next Carron proprietors meeting. <i>KW Didn't have chance to speak to James Hall Action KW.</i>	KW	June 2019	30 th July 2019
9	UHI GENETICS	Line up other provider options. <i>Complete. Accepted a report from UHI not the level of detail that we would like. MSS is the report we really want. Believe government is sitting on this as do not understand the implications of the benchmarks. KW UHI was a flimsy report. Had meeting with ??? etc at MSS that's been postponed. Will try and arrange a video meeting. Action KW to continue to push for meeting and report to be published. Original intention was internal marine Scotland report first, reviewed internally. It has gone straight for peer review to give more credibility. However, this can take time. Action KW Create new action to follow through with MSS.</i>	KW	September 2019	
10	FIAG TRAP	Trap can be a danger to staff. <i>Action RS - Take up with FMS.</i>	RS KW	September 2019	ASAP

Kyle of Sutherland District Salmon Fishery Board

		<i>Action KW – Revisit H&S our policy with SSE.</i>			
11	ASSESSMENT NON-PAYERS	Board agreed to final reminder. <i>Action JH – All of 1st Half paid, remaining J Shaw unpaid Dec invoice.</i>	JH	September 2019	Immediately
12	NEW TRAP	<i>Action KW notify SSE to provide a new trap for next season. Discussed informally with SSE. Suggest formal letter is now written.</i>	KW	September 2019	December 2019
13	CASSLEY SMOLT TAGGING	Combined funding, Board, SSE and potential Cassley proprietors. <i>Action KW – speak to RW to about getting information out to Cassley proprietors. KW wrote to RW. Tags ordered via AST. Complete.</i>	KW	September 2019	Complete
14	BANK SIGNATORY	Approval for Rob Whitson as 3 rd bank signatory. <i>Action JH process with bank. RW moved out of area, signature not approved. New signatory to be recommended.</i>	JH	September 2019	October 2019
15	CARRON RADIO TRACKING	Speak to Innes of Alladale and Carron proprietors regarding possible funding. <i>Action KW to provide more detail. KW wrote a new project brief and brief report of 2019 tracking. Offers of external funding were received. Tracking currently suspended.</i>	KW	September 2019	ASAP
16	MEETING TIMINGS	Too big a gap September to April and too short April to June. Action JH provided new proposals. <i>RS- Date for Autumn meeting to be finalised</i>	JH RS	September 2019	ASAP

4. Directors Report

The Directors Report was distributed prior to the meeting. RS asked if everyone could raise issues/ comments by exception rather than KW give rundown.

RDM asked on the staffing section what Elspeth will be doing. SR advised that as sharing accommodation Elspeth and Sean are able to carry on with the Smolt trapping and Elspeth is doing research into the peatland restoration and forestry issues with a particular emphasis on grants. There is plenty of work from now until June.

Kyle of Sutherland District Salmon Fishery Board

RS advised that the current lock down is until 14th April and is likely to be extended, however if the lock down continues indefinitely it would mean the destruction of the economy. Therefore, we need to continue on as best we can and do nothing until at least June and more is known. The situation is very fluid and ever changing.

KW advised that the Bailiffs are still patrolling except for Iain who has recently had a major operation. We are relying on intelligence from gamekeepers and ghillies and members of the public as well as the patrols. There are some things we cannot do safely at the moment, e.g., tagging, and stay within the guidelines issued by the Scottish Government. The Carron radio tracking project is currently suspended, for example, as would not meet distancing requirements. Other limited activities are essential and can meet the criteria.

SM stated that at the moment it is a poacher's paradise and he is very concerned. This may become more of a problem once fish fill up the pools. RS added that he would urge all proprietors, staff retained or resident staff to act as an information network so that we can respond. FMS are in discussions with Marine Scotland and Police Scotland at the moment. However, their priority will be human health rather than fish health. The activities that we are defining as essential should not fall foul of the police. SM recommended that KW speak to local wildlife officer. KW feels they may be dealing with far more serious crime during this period. RS advised that these things are being passed up the information chain and that there will be more sanctions going forward in regard to salmon poaching.

NG asked about the information network from ghillies etc. How do furloughed workers come into this? RS advised if your staff are furloughed, they cannot undertake any work for their employer. However, as a member of the public they could call in to report any suspicious activity.

KW advised on the smolt trapping. Currently two traps are operating on the Fiag and Tirry. Unfortunately, could not get trap back into Merkland as was due to be transported the day after lockdown. We have a strong advantage as Sean and Elspeth share accommodation so can work as a team. We also have 2 bailiffs still operating, but no seasonal staff for the trapping period. At the moment KW is able to cover on trapping, but we will have to do it differently than in the past to maintain appropriate distancing. The two metres rule is a burden on one person and makes it difficult. Bailiffs can also help with the smolts. There are the 2 core things that are being undertaken as essential – bailiffing and smolt trapping. If we get to summer and there is little or no field work than we will need to rethink. We need to work with limited resources until we know what will happen in the summer and until the smolt run and the end of May. We have at least two months' work ahead of us.

AH asked about seasonal ghillies usually taken on during March. RW Has no further details other than the cut off date for employment. Some estates had staff retained on their payroll and had not P45'd them from last season, they can therefore re-activate their salaries and furlough them. Otherwise it's universal credit. There is unfortunately not a stock answer.

Kyle of Sutherland District Salmon Fishery Board

RS Advised that there is a lot of discussion between FMS and the Scottish Government regarding funding for the sector as a whole and any additional support. Boards and Trusts are in the 3rd sector that includes charities and not for profit organisations. There has been a £20m resilience fund set aside for the 3rd Sector. Alan Wells has direct contact with the senior civil servant responsible. He is constantly seeking to ensure the issues are not forgotten. For example, a question has been asked on holidays for non-domestic rate businesses. Assessments are technically non-domestic rates. The issue is that the potential lack of income for proprietorial interests will create shortfalls of cash to fishery boards. If the government were to give a rates holiday to proprietors and funded the amount due to boards directly, or a substantial part of the amount, this could resolve the problem. The Board & Trust are looking to see what funding we may be entitled to, such as the small business grant.

RW asked about the Cassley tagging. KW advised that on every project we have on the books the objective is to still deliver as and when we can. It is unlikely that any smolt activity that is not essential will be carried out this year. The Cassley tagging was bolted onto the AST Missing Salmon Project and we have committed to order the tags, around 40, and the money has been left in the budget to cover this commitment. Tags will not deteriorate so can be used in the future. The project needs to be done but, in all likelihood, it will be in 2021. We still require home office licences in place. SR and KW undertook training and are 90% on the way to be licenced.

MB Asked about the forestry on the Oykel: Loubcroy Coire a Chonachair consultation. KW advised that he had put in another response this week. It is not a good application and it appears they are still trying to plant on deep peat areas. There are some good aspects in regard to riparian planting. The revised proposal is better than it was but is still not ideal. MB understood you are not allowed to plant in 50cm of peat. KW - Forestry did not originally send the peat depth map. However, that was received yesterday. There are areas of greater than 50cm depth. He really did not understand the proposal and continuing to fight it in its current form. SNH and Forestry and Land Scotland also had reservations about the original proposal. SM stated that the harvesting is biggest concern. The damage will cause havoc. The development is just in the wrong place full stop. **Action KW (15)** continue to challenge development

RDM Asked about Richard Fyfe (RF) at SEPA, working 2 days a week. Is this due to Covid-19 or semi-retirement? KW confirmed it was semi-retirement and he would be specifically dealing with things like the Shin smolt situation. We are still able to put in reports etc. and ask questions. RDM was concerned that when RF was working 5 days a week it was a slow process and with RF on reducing scale for long time we are stuck in that process, if putting less time towards in it will string out even further. This has been ongoing for 14 years with no progress. RDM suggested it is perhaps better to write to David Harley and Terry A'Hurn with a formal letter on this issue. RS/ KW to put together our concerns. SEPA have an obligation to this issue. It could be taken through FMS to go to the full management board at SEPA highlighting the lack of progress over 14 years with the current level of resource particularly at a time when salmon populations are in serious decline. Who is going to be the contact in SEPA? **Action KW/RS (16)** to explore the best route.

Kyle of Sutherland District Salmon Fishery Board

5. Covid-19

Covered above

6. Budget & Finance

a. 2019-2020 Budget

KW Normally we leave contingency to the very end of financial year. However, given the circumstances, we have stripped out legal contingencies etc. in order to better understand the likely position at the end of the financial year. This means we are currently looking at a surplus in the board budget. RDM asked about aquaculture on loch shin - have we formally negotiated a contribution from the operators? KW had a meeting with Migdale and Cooke where the UHI genetics report was discussed. The operators were dismissive of the report. As it stands at the moment there will be no trapping at the Merkland end unless movement restrictions are lifted. KW will broach the subject once again. RDM stated that Migdale Smolt should be doing something as monitoring is party of its planning permission. KW advised there is nothing formally in place. RDM advised that Alistair Mitchell stated that they have an obligation to contribute to the monitoring of their work. KW did not disagree, and he was disappointed that Marine Scotland has not been more helpful. **Action KW (17)** must keep pushing this issue with Marine Scotland. Monitoring is taking place at 2 out of 3 traps, includes those showing signs of introgression i.e. Tirry and Fiag. RS advised that future regulations will most likely include obligation on operators to carry our monitoring and will be put into a legal framework.

JG What savings are you hoping to achieve. Nothing more on this year's budget. We are in much healthier state than anticipated for the 2019-2020 budget as income came in that wasn't originally budgeted for. The potential savings are more for 2020-2021 budget.

b. 2020-2021 Budget

The budget showing was put together before Covid 19 impact. KW & JH are now looking at a contingency budget. For example, the replacement of one of vehicles is not a necessity and just part of the rotation. Pay rises and extra insurances could be stripped out. Looking at core expenditure, assessments, and level of reserves potentially. It was agreed that we cannot agree any budget at this time. RS stated that 2020- 2021 will be a tough year but there is the ability to make savings and we do have reserves. RS's view is that the JMG will need to keep a very close handle on this and have better knowledge of what is happening at a macro level.

JG Agreed this was a sensible approach and we are preparing well for a difficult year. RS added that we have to have economic activity by July in order to prevent serious economic damage. We are in a reasonably strong position, but things are changing on a day by day basis. There will be great pressure to reduce budgets, but we will be in a position to handle what is thrown at us. **Action JH/KW (18)** work on contingency budgets

Kyle of Sutherland District Salmon Fishery Board

7. AOCB

RDM noted the partial collapse of Inveran bridge and asked KW for any further information? KW replied he had not spoken to Highland Council of late on this matter. **Action KW (19)** to go back to HC asking for evidence that they do not own it. It is liable to collapse at any time.

RDM stated that last year there were difficulties with fish counter and asked KW if he was content that that the fish counters are working correctly. KW deferred to SR. SR replied that the fish counter images are much better, actually seeing fish convinced him that issues had been rectified to a degree. There are however instances of their being a record and no photo to support it. SSE had recently sent PIT tagging people up and testing was done. Ian McMyn has aspirations for an integrated PIT/fish counter system. RDM asked SR if he can verify the figure we get from SSE. SR advised that it is us that get sent the raw data and that SR does the validation. Therefore, he confirmed it was working much better than last year.

NG What is situation with assessments? RS Assessments will be asked for in the normal way. The amount will still be due at this stage. However, we will be sympathetic and provide as much support as possible. KW said 99% has been received this financial year. The next financial year first half will be sent out in June 2020. The original plan was to keep the pence in the pound the same. However, he suggested that under the circumstances we keep proprietors informed and try to reduce the burden as much as possible. RS added that quite an extensive process is being undertaken by Fishery Management Scotland regarding tapping into 3rd sector funding. Non-domestic rate relief and so on. **Action JH/KW (20)** investigate 3rd Sector funding/grants

AH suggested it may be useful to compare notes on how proprietors are dealing with cancelled fishing lets. RS replied there is not a consistent response. Many fisheries take deposits in the previous year stating clearly that they are non-refundable and advising guests to take out travel insurance etc. When fishing is not allowed, technically if you have those things on letting agreement you can advise to claim on insurances. That said, a great many fishing providers are simply rolling bookings over to 2021. It is down to the individual proprietors to make those decisions. RDM suggested as a basic principle if the Government is telling you that you can't go fishing, probably a refund is best. RW added that every estate has a different funding mechanism. There is no set model, a percentage of guests are asking for all their money back and a percentage are asking for a rollover booking.

As there was no other business raised RS brought the meeting to an end and advised that we will keep everyone posted. The next meeting is likely to be in a similar format and hoped it had proved a convenient process.

Meeting closed 11.25am

Open & new actions C/Fwd.

Kyle of Sutherland District Salmon Fishery Board

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Kyle of Sutherland District Salmon Fishery Board

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Kyle of Sutherland District Salmon Fishery Board

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14	MEETING TIMINGS	RS- Date for Autumn meeting to be finalised	JH RS	September 2019	ASAP
		New Actions			
15	LOUBCRAY COIRE -FORESTRY CONSULTATION	Not an acceptable application. Planting on Peat and harvesting will cause havoc. Action KW to continue to challenge	KW	April 2020	ASAP
16	SEPA - RF	RF now down to 2 days and no progress after 14 years. Who is going to be the contact? Action KW/RS progress through FMS with SEPA full management board	KW/RS	April 2020	June 2020
17	MSS-Aquaculture	Progress funding from Aquaculture operators with assistance from MSS – Action KW	KW	April 2020	June 2020

Kyle of Sutherland District Salmon Fishery Board

18	2020-2021 BUDGETS	Action KW & JH to work on new contingency budget options	JH/KW	April 2020	ASAP
19	INVERAN BRIDGE	Collapse of Inveran bridge in danger of further collapse. Go back to HC and ask for evidence that they do not own Action KW	KW	April 2020	ASAP
20	GRANTS/FUNDING 3 rd Sector Funding Rates relief	Apply for appropriate grants and funding in relation to COVID-19 entitlement. Action KW/JH	JH/KW	April 2020	ASAP