

Kyle of Sutherland District Salmon Fishery Board



MEETING TITLE: Board Ordinary Meeting

Meeting Date: Friday 26th June 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 Ashe Windham (AW) John Green (JG) Rob Whitson (RW) Keith Williams, (KW) Clerk Nicky Griffiths (NG) by Phone Alex Hunter (AH) John McCrorie (JM)	Steven MacKenzie (SM) KSFT Michael Brown (MB) KSFT Jacqui Hamblin KSDSFB Sean Robertson (SR) KSDSFB
Apologies	
Robbie Douglas Miller Peter Routledge Gary Gruber Richard Fyfe	

1. Welcome

2. Minutes of Ordinary Meeting held Friday 2nd April 2020

- I. Adoption & Approval
- II. Actions and Matters Arising

No	Action Title	Actions	Owner	Raised	Complete by
1	CARRON GLEAN BEAG	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. Action KW/SR/IM - talk about the feasibility of introducing a sonar device to monitor	KW KW/SR/ IM	June 2019	Ongoing

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		<p>movement of fish when the ground sluice is opened.</p> <p><i>KW Alternative strategy being developed i.e. compromise flow to negate need for plate changing. Sonar element therefore redundant.</i></p>			
2	HEALTH & SAFETY	<p>Health & Safety policy to be updated</p> <p><i>Review undertaken. Requires final staff meeting to formally complete process.</i></p>	KW/SR	October 2018	Ongoing
3	SSE AGREEMENT	<p>Draft received was unacceptable and request made for more concise agreement. SSE advise it is with their legal department RS. Doubt we are vulnerable in meantime. <i>Action RS Keep putting pressure on SSE.</i></p>	RS	October 2018	Ongoing
4	KEEP EM WET	<p>“Keep em Wet” campaign seems to have lost momentum and new material still not available. <i>Action SR look elsewhere. SR and Daniel Logie keen to do video on best practice. Postpone until autumn.</i></p>	SR	October 2018	Ongoing
5	KEY MAN INSURANCE	<p>Key Man insurance ensures the ability to pay salaries and cover the cost of bringing someone else in. 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. <i>Budget implication, on hold.</i></p>	KW/JH	June 2019	Ongoing
6	VICARIOUS LIABILITY	<p>Re-visited with David McKie and requested possible dates and or bolt on when in area. Introduce option to attend to neighbouring boards DMK suggested bolt onto Skibo in April, now postponed.</p>	RS	April 2019	Ongoing

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		Action JH Organise through VC.			
7	CROICK ESTATE	KW will raise the fishing rights issue with James Hall at the next Carron proprietors meeting. KW Did not have chance to speak to James Hall Action KW.	KW	June 2019	Ongoing
8	MSS GENETICS	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 Alistair Mitchell etc arranged at MSS that has 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 follow through with MSS.	KW	September 2019	ASAP
9	FIAG TRAP	Trap can be a danger to staff. Action RS - Take up with FMS. Action KW – Revisit H&S our policy with SSE.	RS KW	September 2019	ASAP
10	ASSESSMENT NON-PAYERS	Board agreed to final reminder. Action JH – All paid.	JH	September 2019	Completed
11	NEW TRAP	Action KW notify SSE to provide a new trap for next season. Discussed informally with SSE. State of Fiag trap to be included in 2020 smolt trapping report. SR writing up summary and will include	KW	September 2019	December 2019

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		<i>damage. SSE need to provide new trap</i>			
12	BANK SIGNATORY	Approval for Rob Whitson as 3 rd bank signatory. Action JH process with bank. RW moved out of area, signature not approved. Action JH Rob to remain as signatory application with new signature	JH	September 2019	October 2019
13	CARRON RADIO TRACKING	Speak to Innes of Alladale and Carron proprietors regarding possible funding. 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. Action KW/SR Potential to net and track fish late summer 2020.	KW	September 2019	ASAP
14	MEETING TIMINGS	RS- Date for Autumn meeting to be finalised. 24th September	JH RS	September 2019	Completed
15	LOUBCRAY COIRE -FORESTRY CONSULTATION	<i>Not an acceptable application. Planting on peat and harvesting will cause havoc.</i> Action KW to continue to challenge. No formal confirmation of approval. Action KW to view next week as now as major road going in.	KW	April 2020	Immediately
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 wrote to SEPA and received a response.	KW/RS	April 2020	Completed
17	MSS-Aquaculture	Progress funding from Aquaculture operators with assistance from MSS – Action KW in our view providing a service therefore incur VAT.	KW	April 2020	Completed

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		<i>They are refusing to pay and will only pay if a donation. New regulations, very tough, licensed and enforcement, including monitoring of integration.</i>			
18	2020-2021 BUDGETS	Action KW & JH to work on new contingency budget options	JH/KW	April 2020	Completed
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 has written again to HC but received no response. Legal opinion sought via Fish Legal. KW to take up matter with local councillors, MP/MSPs etc.	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 Received HC grant but refused resilience grant	JH/KW	April 2020	Completed

3. Standard Items

- I. Declarations of interest in agenda items to be discussed – none declared
- II. Health & Safety - no reportable incidents
- III. Complaints – no complaints received
- IV. Governance – no outstanding matters
 - We are coming up towards triannual election in September. Keith as clerk will be circulating appropriate documents.

4. Directors Report

Budget & Finance - Reserves policy is presently set at a maximum of £60k net of ring-fenced funds, but in terms of trading expenditure we may like to discuss getting a higher reserves policy based on 6-month operation costs. RS added that this issue would be revisited at a future meeting.

Video conferencing - Microsoft provide low cost software for charities and not for profit organisations. Benefits from this include reducing carbon footprint, travel costs etc. RS asked if we would we be eligible for windfarm grants? MB – Likely that the answer is yes, put forward application to several funds and for a portion of the costs. Would need to be from the Trust. SM – suggested speaking to Cameron Warren. **Action KW/JH (15)** speak to Cameron about installation and explore best organisations to make application. Use MB for guidance. There is also potential to make the equipment available to the

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community and other organisations. Consensus from all attending is to move forward with this. **Action SR/JH (15)** – explore charity status to reduce costs on software

Staff & Enforcement - Elspeth made redundant 12th June. Bailiffing, difficult to get the right day and night balance in current climate of activity. JG – asked SM to bring us up to date on Oykel furloughed ghillies. SM – Have had one ghillie not furloughed and he has been keeping an eye on the river during daylight hours.

Rod Catches – AH - 4 fish from Dounie to date. NG – 3 from Braelangwell.

Fieldwork - Benefitted from settled weather conditions for trapping. Pleased to get 8000 smolts out the Fiag but 500 from Tirry was disappointing. RS – Typically 60% efficiency on Fiag trap, 20% Tirry so many smolts are still being lost. We should have been tagging smolts but that did not take place because of Covid -19. AST receivers were deployed prior to smolt tagging season and SR has retrieved them. Temperature loggers are being downloaded on the Carron and Oykel. The uppermost loggers on the Oykel are still to be downloaded but that will be done in the next few weeks. RS thanked SR for taking ownership of the smolt trapping and providing data and reporting.

Developments & Projects – Oykel habitat improvements, SR and Elspeth developed this further towards a coherent restoration strategy. RS – Whilst we had to make ES redundant, would like to come out of this strong enough to replace that capacity in the future. SM – He had been speaking to Murray Peat, money from SNH that was ringfenced for peatland restoration now looks like it may have been diverted elsewhere.

Other activities – There had been correspondence between KW, RS and Anthony Fraser re the proposed season change on Evelix. Since the trial of fishing extension on the Evelix took place many years ago the general situation regarding run-timing and abundance has altered considerably. KW would not recommend that the Board support any change unless high quality data e.g. from a fish counter was available that demonstrated the Evelix stocks were behaving differently than was the case elsewhere. RS added that any application to change would require the full support of all proprietors, who currently are not unified. Skibo has fish counter recording data that is not publicly available. The electrofishing indicates that juvenile abundance is high, but this is not readily translated into assessments of adult abundance, run-timing etc.

AH – Queried why the fishing season cannot be ended on a Saturday e.g. first Saturday after 30th September. RS - The instruments to control this are in fisheries legislation and not within the gift of the board to change.

5. COVID -19

Documents are updated regularly. As the Scottish Government provides new guidance our documents will be updated. KW & SR review the health and safety policies regularly. Recently smolt trapping and bailiffing have been undertaken whilst staying within the guidelines.

6. Budget & Finance

I. Assessment Proposals

RS - If any government grants are forthcoming in the form of non-domestic rates relief it will be based on rateable values and pence in the pound levied. Any grants received or further savings made will be passed on via a reduction on the 2nd tranche of payments due. Maybe some who will struggle to pay, and the Board is open to receiving payment plans. **Action KW/JH (16)** produce letter to

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go with assessment invoices explaining reasoning and highlighting the cost savings the board have made,

II. 2020-2021 Budget

19-20 budget had a strong financial year and unforeseen income. Received 2 lots of SSE money in the financial year. Bank balance at end of year £249K of which £113K relates to SSE income for 20-21 financial year activities. Some of the overall balance is also ringfenced for the Carron.

20-21 – Assessment income set at 0.69p in the pound against 79p last year. Stripped everything out that we could i.e. no capital expenditure, no salary increases and no contingencies.

JG suggest that various members of the board ensure that this information is passed back to river proprietors so they fully understand. RS- at JMG decided to provide a covering letter explaining what the board has done to reduce costs. Trust budget impacted also – not now receiving certain monies such as NEPS and consultancy work. Intention is to try more fundraising. Tried to maintain some support for Board staff from Trust to Board.

7. AOCB

RS – Freedom of Information Act (FOI) and Environment Information Regulations (EIR) are similar. Advice received now suggests Boards are subject to EIR, but not FOI requests, which means anyone can make an application for information. We would be required to provide every email, every piece of data etc that is relevant. Only 20 days to respond. Action JH/KW need to get up to speed on what needs to be provided **Action JH (17)** send out FOI & EIR legal guidance document to all members. Presently the Trust holds electrofishing data and at times sell that. If historical data become available on request, then developers etc. could request under EIR. This may have implications for whether it is more appropriate for the Board or Trust to employ the scientific staff. KW - an example is that SSE provide the Board with funds to undertake smolt trapping. The associated smolt data essentially belongs to them as they pay us to mitigate but the Trust holds it on their behalf. RS – the implications likely include costs to the Board in terms of resources managing EIR requests. **Action KW/JH (17)** to explore and research further on how to manage this going forward.

RS – Ring of Steel group objecting to a series of windfarm proposals. SNH treats the whole of the Kyle to Bonar Bridge as a SAC for pearl mussels. It is likely that large populations of freshwater pearl mussels are present in the Kyle. Windfarm developments have the potential to impact on these populations. He had been in contact with Richard Davis who does underwater survey work. Would it be worth trying to find funding for videoing the Kyle underwater? If we had compelling data, it would go a long way to protecting the Kyle. AW suggested also speaking to Peter Cosgrove who did work on the Cassley. May also be worth approaching SNH to partner the cost. KW advised that this is would more likely be a Trust project. MB - Take this to next Trust meeting for discussion. **Action KW/MB (18)**

Meeting closed: 12.05 pm

Nest meeting: Thursday 24th September 2020

Open & new actions C/Fwd.

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		<i>sought via Fish Legal. KW to take up matter with local councillors, MP/MSPs etc.</i>			
No	Action Title	New Actions	Owner	Raised	Complete by
15	Video Conferencing	<p>Action SR Move forward with implementing and explore charity status to reduce costs on software. Speak to Cameron about installation. Costs through the Trust</p> <p>Action KW/JH Apply for grant funding and explore best organisations to make application. Use MB for guidance.</p>	SR KW/JH	June 2020	August 2020
16	Assessments	<p>Action KW/JH Produce letter to go with assessment invoices explaining reasoning and highlighting the cost savings the board have made.</p>	KW/JH	June 2020	Immediately
17	Freedom of Information Act & Environmental Information Regulations	<p>Action JH send out FOI & EIR legal guidance document to all members.</p> <p>Action KW/JH to explore and research further on how to manage this going forward.</p>	JH KW/JH	June 2020	Immediately
18	Underwater video surveying in the Kyle for Fresh water Pearl Mussels.	<p>Speak to Richard Davis, Pete Cosgrove etc. to look at feasibility. Approach SNH to partner the cost. Discuss at next Trust meeting. Action KW</p>	KW/MB	June 2020	Next Trust meeting