

**NITH DISTRICT SALMON FISHERY BOARD**  
**MINUTES OF**  
**BOARD MEETING**  
**HELD AT FRIARS CARSE COUNTRY HOUSE HOTEL,**  
**AULDGIRTH, DUMFRIES**  
  
**on**  
**6 July 2015 at 10.05 am**

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**PRESENT**

Percy Weatherall – Chairman  
Peter Hutchison – Netting Representative  
Thomas Florey – Angling Representative  
Wally Wright – Netting Representative  
David Kempself – Dumfries & Galloway Angling Association  
Danny Marshall – Angling Representative

**IN ATTENDANCE**

Roderick Styles – Clerk  
James Henderson – Fishery Director (FD)  
Deborah Parke – Nith Catchment Fishery Trust (FB)  
Shona Kennedy – Office Administrator

**APOLOGIES**

Nick Wright – Angling Representative  
John Kingan – Netting Representative  
Jeff Walters – Angling Representative  
Robbie Cowan – Netting Representative  
Duncan Mackison – Buccleuch Estates Limited  
Richard Gladwin - Blackwood  
Peter Landale - Dalswinton

**1. DECLARATION OF MEMBERS' FINANCIAL INTERESTS**

David Kempself mentioned that his Association was now renting Fishings from Dalswinton. It was accepted that it did not have an impact upon a declaration of financial interests.

**2. BOARD MINUTES OF THE MEETING OF 24 MARCH 2015 & 12 DECEMBER 2014**

These were approved subject to full ratification at the next Board Meeting.

**3. REPORTS**

(a) River Report – Quarterly Report.

FD referred to the Quarterly Report produced and to Peter Landale's email following on a meeting that Peter Landale had with FD and FB after the last Board Meeting. FD in particular referred to Peter Landale's email and comments to the effect that there had been good progress on all fronts, although as conservation measures needed to be reviewed on an annual basis.

FD pointed out that the Report is available for consideration on the Board's website.

FD referred to comment from Richard Gladwin as to bringing in more money by means of raising the rate charged for consultancy income. FD reported that he felt confident that he was charging reasonably, taking into account the market conditions and the type of work involved. FD had taken on more work than usual. As a consequence, he was on occasion working seven days per week and on some occasions fourteen hours per day. He asked that the Board give consideration to the idea of FD and his staff claiming for overtime in respect of consultancy work carried out, out with normal working hours. He emphasised that he expected this to be restricted solely to consultancy work giving rise to income for the Board.

The Chairman advised that this had been discussed at the Trust's meeting and the idea had been approved. The Chairman sought similar approval from the Board.

Thomas Florey asked if the work might tail off as a result of Government cancellation of subsidy for windfarms. FD reported that there was still a lot of consultancy work to be carried out and when windfarm projects dry up and the work available to FD for consultancy would be capable of being done during normal working hours, so there would be no requirement for overtime pay.

Thomas Florey raised concern that FD did not "overdo it" for the sake of his health. FD responded to state that this would not happen. The work is seasonal, mostly done during the summer.

The Board agreed that it was reasonable to pay for overtime in respect of consultancy work and income generated therefrom provided that it was properly documented.

FD reported on the hire of a new Seasonal Bailiff. The Board also had the benefit of a new image intensifier used for night time covert operations.

FD reported that the sea trout experience had involved a lot of work. Bailiffs were visiting angling parties fishing on the River in the sea trout experience every Friday night. FD read an email of thanks from Jim McDonald of Dumfries & Galloway Angling Association for being allowed the opportunity of fishing the different waters free of charge. FD reported that overall he felt that the sea trout project had been a success, had raised a lot of awareness for the River and that ticket uptake had increased. David Kempzell agreed.

David Kempzell asked about signal crayfish. FB reported that tests continued on the Lochfoot Burn. Signal crayfish had not been detected below the two areas where they had previously been identified.

FB reported on the continuation of treatment of Giant Hogweed, advising that she felt that ongoing treatment had resulted in control of the presence of hogweed.

- (b) Report from SEPA – there was no report from SEPA but FD reported on an incident of dredging of the Lake Burn resulting in a callout of SEPA who had stopped the process.

FD reported on a discovery of a problem involving algae growth at the discharge point at the House of Water open cast coal site. As a consequence of the growth of algae there had been complete absence of fish detected immediately downstream of the exit point to a point of approximately 1km. Water levels have been extremely low. Pumps have been switched off. This had resulted in the growth an algae bloom. The consequence of this was that oxygen levels fluctuated dramatically.

FD had reported the incident to SEPA but it was not considered to be pollution. He had also informed Kier who operate the neighbouring mine in respect of the matter. Hargreaves had come up with a plan to oxygenate water before it was discharged into the River.

FD advised that there was a strong possibility that fish could have dropped back in the face of the depleted oxygen levels.

Peter Hutchison observed that there if there had been no mine then the problem would not have existed. FD agreed with this but it seemed that the mining contractors now being aware of the problem were taking formal steps to deal with it. Hargreaves had expressed concern. They have straight away agreed to deal with the problem. FD reported that the River had been at the lowest level he had seen. The following week after a six inch rise in the River following rain the problem seemed to have been solved. A few fish had moved into the affected area. FD had reported the incident to SEPA to advise of the presence and absence of fish and to ensure that the problem was recognised.

Thomas Florey noted that there had been work carried out to the flood bank at Nunholm wherein the projected wall heights had been increased and the wall profiles changed. John Jardine Plan Hire had carried out the work at Nunholm. They had apparently bought the fields from Scottish Government. The land had formed part of the land take for the Dumfries Bypass. It had been offered for sale earlier in the year with fishings. FD had been concerned about this and had discovered that the fishings advertised were “white” fishings. FD continued to monitor the position.

FD had complained to Sarah Denholm at SEPA about the flood bank profile change. He had been asked to become involved in the Nith Flood Management Scheme with SEPA. He felt that he would be put in a position of conflict of interest should he be asked to run the Scheme but not deal with matters relating engineering works to flood banks.

FD reported that SEPA has spoken to John Jardine who had been told to reduce the height of the flood bank. FB reported that there had been Japanese Knotweed present in the bank which may have been spread as a consequence of the work carried out.

FD advised that he would continue to monitor the situation.

David Kempself reported that a similar thing had happened to the flood banks on land owned by farmers, Gibb and Best. This should be reported to SEPA.

It was agreed that the whole matter of work to flood banks should be raised with SEPA at the next Board Meeting with prior warning being given to them of the concerns expressed by the Board. It was agreed that FD should write to SEPA to seek an explanation to ask for an answer at the next Board Meeting.

- (c) FD reported on the email received from SNH representative, Stuart Graham, who had now been moved within SNH to Funding Officer and would as a consequence no longer be taking part at Board Meetings.

Wally Wright commented that SNH staff had been put on short time. The Caerlaverock Office of SNH has now been closed. In respect of a complaint made to SNH about environmental damage and crime, they had responded that they could not attend as they did not have the manpower to deal with it. This showed evidence of funding restriction and lack of employment for SNH such that they seemed to be incapable of fulfilling their statutory function in this area.

#### **4. UPDATE ON FRESH WATER FISHERY REVIEW**

There was genuine frustration expressed with regard to development. Peter Hutchison advised that he, FD and Chairman, Percy Weatherall, had attended the meeting of Proprietors recently at ASFB/RAFTS. Percy Weatherall had expressed concern about the process and the idea of creating FMOs with the Nith Board being subsumed into a much larger area. Percy Weatherall had expressed to the floor of the meeting that he did not support the idea of the Nith Catchment being part of larger FMO saying that it would be of no benefit to the Nith System.

Much discussion took place in connection with the concerns for the Nith System as a consequence of the proposals that were forthcoming, particularly with regard to the Government response and consultation paper issued following on from Wild Fisheries Review Report issued by Andrew Thinn.

It was agreed that the Board should continue to monitor the situation and try to do what was best for the Nith Catchment to continue the work that both Board and Trust did for the Nith Catchment, all of which seemed to fulfil the requirements of a future FMO.

It was agreed that FD and the Clerk would formulate a draft response to the Consultation Paper.

5. **AOB** – FD referred to Raymond Mundell’s proposed attendance on behalf of DGAA at future meetings given that David Kempell would be involved in other business during the course of the next year. It was accepted that this would take place.

FD reported on the problems with his Land Rover Discovery van. The vehicle was now more than four years old and out of warranty. A major breakdown had occurred. It was agreed that FD should take steps to investigate the renewal of the vehicle.

The Board Meeting thereafter closed.