

NITH DISTRICT SALMON FISHERY BOARD
MINUTES OF BOARD MEETING
HELD AT FRIARS CARSE COUNTRY HOUSE HOTEL,
AULDGIRTH, DUMFRIES

on

12th JUNE 2014 at 10.20 am

PRESENT

Percy Weatherall – Chairman
Nick Wright – Closeburn Castle Fishing
Mark Coombs – Buccleuch Estates Limited
Wally Wright – Netting Representative
Robbie Cowan – Caerlaverock
David Kempself – Dumfries & Galloway Angling Association
Peter Landale – Dalswinton
Jim Gregory – Angling Representative
Danny Marshall – Upper Nithsdale Angling Association
Nick Brown – Friars Carse
Shona McFarlane – SEPA
Lee Howcroft – SEPA
Richard Gladwin – Blackwood
Peter Hutchinson – Netting Representative
Roana Clark – Dumfries and Galloway Council

MEMBERS OF THE PUBLIC ATTENDANCE

nil

IN ATTENDANCE

Roderick Styles – Clerk
James Henderson – Fishery Director (FD)
Deborah Parke – Nith Catchment Fishery Trust (FB)
David McMichael – Senior Water Bailiff (SWB)
Shona Mitchell – Administration
John Millar

1. APOLOGIES

Thomas Florey
Stuart Graham
Tom McAughtrie
John Kingan

2. DECLARATION OF MEMBERS FINANCIAL INTEREST

The Clerk asked those present to declare any financial interest. No declarations were voiced.

3. APPROVAL OF BOARD MEETING MINUTES of 11TH FEBRUARY and 25th March 2014

The Chairman referred to the meeting minutes from the 11th February and asked all present for any amendments. The Clerk apologised for the late circulation of the meeting minutes and the opportunity to read the minutes was given. The Chairman asked if the minutes were a fair and accurate record of that meeting. The minutes were unanimously approved.

FD referred to page 4 from meeting minute 25th March 2014 regarding DGAA's proposal to introduce indigenous trout stock into the river Cairn, at juvenile stage rather than fish farm stock at 11"+ and that D&GAA would like to use the Board's hatchery facilities/experience. FD advised that the Board has the capacity to facilitate this proposal. FD reiterated that the Board would be subsequently remunerated of all expenses incurred by DGAA. FD explained his support for stocking indigenous fish from the river rather than from a source out with the catchment, which DGAA can legally do. FD advised that it is a low impact management strategy, fed fry would be released in small numbers of targeted locations in the River Cairn, subject to Marine Scotland licencing, and it would be a long term investment for the future. David Kempself reiterated this and stated that in the past DGAA have stocked 1500 to 2000, 11inch trout and DGAA feel that the 5 year proposal to stock indigenous brown trout back into the River Cairn would be advantageous. David Kempself advised all present that DGAA would reimburse the Board for staff time, related expenses etc. Danny Marshall advised the Board that UNAA are looking for funding for a fish nursery project and would like FD's advice on this on bringing fish on to 3 inches. It was agreed that this is an item for a future agenda. A discussion ensued regarding DGAA's proposal. The Chairman asked for any objections, none were received. The Board agreed to DGAA's proposal.

The Chairman asked if the minutes from 25th March 2014 construed as a fair and accurate record of that meeting. The minutes were unanimously approved.

4. RIVER REPORTS

- **Fishery Director's Report**

FD referred to the Nith Fishery Management Plan Quarterly Progress Report issued, showing an overview of what the staff have achieved in the last quarter and invited questions. Peter Landale asked how big the Kier mining river diversion will be. FD answered by stating that 600m of the main stream will be diverted and will be the biggest in Europe this year. FD advised that the diversion will take place on Monday next, with Board, Trust and SEPA staff in attendance. FD advised the Board that Nith DSFB had benchmarked best practice in these operations due to its previous experience, input, team work etc. arising out of previous river diversion work in the Catchment.

The Clerk reiterated that the Board's standing policy towards such operations that could adversely impact upon the river was of outright opposition, tempered with recognition that the Board did not have the power to stop such operations. So the Board took part in and would continue to involve itself in the planning and consultation procedures concerning these projects in order to ensure that the Board's concerns for the river and best possible environmental practice procedures and mitigation of damage to the fishery could be built into the planning process and operation of the OCC site. In this way the Board was doing its best to fulfil its statutory obligations.

The Chairman advised that the same procedures and mitigations are followed for renewable energy schemes such as hydro, wind farms etc.

Shona McFarlane advised that SEPA have a national team that conducts spot checks on the licenced flow, issued to hydro schemes as per the issued licence. A discussion ensued as to the pressure engineering works have on the Nith catchment compared to the rest of Scotland and how the Board fulfils its statutory obligations regarding this. It was agreed that a new column would be added to the quarterly progress report to show ongoing/completed items.

Nick Wright enquired with reference to point 6, repairs to Habitat. FD advised that the Board and Trust staff have repaired a lot of flood damaged habitat schemes. A discussion ensued on habitat schemes and the evolution of them.

- **SEPA Report**

Shona McFarlane referred to the printed SEPA Report issued.

Peter Landale asked that a correction be made as the contractor working in the watercourse at the Pennyland Burn had no connection to the Dalswinton Estate, it was acknowledged that Shona McFarlane was referring to the Dalswinton area, not Dalswinton Estate.

Peter Hutchinson asked if there was a policy in place for regulating farmers spreading slurry during heavy rainfall onto waterlogged ground, in order to reduce run-off and preserve good water quality in the burns and rivers. FD answered by advising that farmers have to work within the regulations in regards to nitrates. Shona McFarlane reiterated this and explained the NVZ regulations, buffer zones, allotted dates etc.

Shona McFarlane advised that SEPA are starting to target diffused pollution in the Galloway area at present and will be in this area soon. Shona McFarlane stated that if anyone has concerns they should contact SEPA.

Peter Landale asked if SEPA tested the water quality on the NVZ allotted dates. Shona McFarlane advised that water quality tests are not tied to seasonality; rather they have dedicated locations set through the year.

David Kempzell voiced his concerns regarding the flooding of the sewerage works at Dalscone. Shona McFarlane responded by advising that the situation is far from ideal and not much can be done about the occasional flooding of the works as the amount of dilution would be significant and that the sewerage has been treated to a degree.

David Kempzell raised DGAA concerns regarding the materials used to reconstruct the washed out flood bank at Boys Pool. It appears building rubble and used tyre bails were the filler to the bank and DGAA would like to know who is liable if the bank washes out for the clean-up of the tyres and rubble if it enters the main river. Shona McFarlane explained that bailed tyres if used have to be a certain grade and specification, with confirming documentation. Shona McFarlane also explained that SEPA was not directly involved with the engineering of the flood bank repairs as it is not on the direct river bank but set back from the bank and as such it is the responsibility of the landowner to maintain it, however SEPA would be involved under the waste management directive. Shona McFarlane advised that SEPA did contact the landowner regarding the waste management directive and the specifications of the tyre bails and she will follow up on David Kempzell's enquiry and get back to him.

David Kempself advised that DGAA has adopted the Nith Angling Code on the Cairn and Crown Waters and explained the procedure for DGAA to adopt the Nith Angling Code on their river Nith fishings, this would have to take place at the next DGAA AGM.

No report or communications have been received from SNH.

5. UPDATE OF THE FRESHWATER FISHERIES REVIEW

The Chairman reported that Andrew Thin has been tasked to undertake the Freshwater Fisheries Review and that Andrew Thin's recommendations for the review will be completed by September 2014. These recommendations will be passed to the Scottish Government and thereafter changes will take place. The Chairman reiterated that 78 river management bodies in Scotland will be affected by these changes. FD attended a meeting in Dumfries with Andrew Thin, at this meeting it became apparent that it is not a review but a redesign. FD advised that the Scottish Government's views the Fishery Boards as not being fit for purpose. However FD stated that Nith Board is fit for purpose as it complies with current legislation, good governance and that the Board is inclusive, working closely with the Nith Catchment Fishery Trust, SEPA and other organisations. FD advised that it is very difficult to alter the preconceived idea that the Scottish Government has on Fishery Boards and that they desire more control and a more inclusive membership within the Boards. The Chairman asked for practical suggestions to optimise the outcome for the River Nith, a discussion ensued and the key points are as follows:

- How best to show/evidence the Board's compliance.
- To support FD to ensure the Board's views are represented to Andrew Thin and his team.
- To be more proactive and continue to modernise.
- It was agreed that the Board has representatives from all aspects of Fishery management and the public on the river. Each member of the Board reiterates individual's concerns for the catchment to the Board and feeds back information to the individuals they represent, being clear and transparent.
- How the Board can evidence that it is clear and transparent and that it has representatives from all aspects of Fishery management and the public on the river.
- It was agreed that the Nith Board are the exception to the rule, as it complies with good practice and recommendations.
- It was agreed that the Nith website hits/views would be collated and presented at future Board Meetings.
- A joint paper from the Board and the Trust will be produced nearer the time to be circulated to SMP's, councillors etc.

6. RIVER DIVERSION

FD informed all present that the river diversion at Kier Mining – Greenburn has been in planning for 2 years and that the Board has been involved in its design to protect and enhance fish populations currently present. FD reported that he and the team will be attending the site tomorrow to start conducting fish rescue work.

7. NEW WEBSITE

FD advised all present that the new website is more user friendly and easier to navigate. It was agreed that staff would continue to spend time on the website keeping it up-to-date etc. Any suggestions for the website were requested and it was asked that all present publicise the website. Danny Marshall suggested putting feedback on the website regarding catches etc. FD responded by advising that he did not want to take anything away from FishPal/FishNith which Peter Landale is managing, in order to market the river and its fishings. Peter Landale has employed a student to follow a template to keep all beats up-to-date. It is predicted that the formula will be in place by the end of July – mid August. The Clerk advised that the old River Nith website was still accessible. FB responded by stating that the old River Nith website has been taken down completely and advised anyone still being able to access the old website clear their internet cache.

8. A.O.B

The Chairman reminded everyone that the Trust will be holding an event/party at the Easterbrook Hall on Saturday 25th October 2014, it will cost £50 per person or £500 for a table of 10, this will include dinner, dancing, comedian and a band. The Chairman invited all present to attend in order to raise funds for the Trust's salmon tracking project, which will monitor where salmon are going, how long they stay within the Nith catchment etc.

FD reiterated Roana Clark's invitation to all present to attend the Council's fishing seminar on 24th June 2014 at 6pm within the Municipal Chambers on Buccleuch Street, Dumfries, FD, FB and the Clerk will be giving presentations/talks.

FD advised that in an effort to reduce costs he has employed a new IT operator – Robin Armstrong. The previous IT operator cost £66 a month. Mr Armstrong volunteers with the Trust and has agreed to be the Board's IT operator in return for some fishing rather than payment. FD asked those present for a donation of some fishings in order to pay the IT operator. Peter Landale and Mark Coombs agreed that they would donate fishing for the IT operator. FD offered his thanks for these donations.

The Chairman advised that the Board agreed to finance the Fishing For the Future Project up to the maximum of £25,000 on the basis of a lag in finance being available from official sources. The Project has started and £10,000 loaned to the Trust which will be reimbursed over the financial year. The Chairman advised that the Fishing For the Future project has been rolled out to 300 pupils over 15 schools and has been very successful. FB offered her thanks for support and assistance received and that the project was well received.

Jim Gregory enquired as to the progress of the Northern Periphery application. FD advised that the application had been submitted on time and it's a case of awaiting the funder's decision.

It was agreed that the Trusts tagging project would be a good investment in order to study Salmonid behaviour, if there is a reduction in holding waters especially in the areas where sediment has increased and how long it takes the salmon to travel upriver etc.

SWB advised all present that the predator licences have been fulfilled and that it seems where otters are present the number of mink are reduced.

There being no other business, the Chairman closed the meeting at 11.55