

**NITH DISTRICT SALMON FISHERY BOARD**  
**MINUTES OF**  
**BOARD MEETING**  
**HELD AT FRIARS CARSE COUNTRY HOUSE HOTEL,**  
**AULDGIRTH, DUMFRIES**  
  
**on**  
**11 DECEMBER 2017 AT 10AM**

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**PRESENT**

Percy Weatherall (Chairman)  
Robbie Cowan  
Peter Landale  
Nick Wright  
Nick Brown  
David Kempself  
Wally Wright  
Peter Hutchison  
Richard Gladwin  
Thomas Florey  
John Charteris  
Anna Fergusson – Buccleuch Estate

**IN ATTENDANCE**

Roderick Styles (Clerk)  
James Henderson (FD)  
Debbie Parke (FB)  
David McMichael (Head Bailiff)  
Ruth Davies  
Carl Savage  
Tom Brown  
Mike Machin  
Raymond Mundell – Dumfries and Galloway AA  
Scott Kerr – Buccleuch Estate  
Mike Keggans  
Christine Carson

**APOLOGIES**

Danny Marshall

The Chairman opened the meeting by welcoming all present.

**1. DECLARATION OF FINANCIAL INTERESTS**

There were no declarations of financial interests that gave rise to conflict of interest.

**2. BOARD MINUTES OF THE MEETING OF 11 SEPTEMBER 2017**

These were unanimously approved.

### **3. MATTERS ARISING**

FD raised the matter of gill netting issues on the Solway Firth. There is a possibility that SNH by law could arrange to stop it. The matter had been taken up with SNH. There are no bylaws.

### **4. RIVER REPORTS: NITH FISHERY MANAGEMENT PLAN QUARTERLY REPORT**

Reference is made to the written report. The Chairman asked for questions.

FD reported on the huge volume of engineering works within the Catchment with the Board continuing to monitor them. Nick Wright referred to the Annual Reports produced on OCCS Site and asked if they were available to the public or simply for Proprietors.

FD replied that if asked for the Reports are given with consideration to use to which they are going to be put. The client developer would have a say as to the release of the Reports.

Peter Hutchison raised regulatory influence on the last 2 – 3 years. He would prefer to see some form of report raised in connection with conservation so far as it relates to Scottish Government.

FD suggested that this would be an issue which came under the heading in a Quarterly Report of Governance. Nothing is happening at Scottish Government other, than dealing with Brexit. Any movement in the salmon fishery sector is now deemed to be of little importance. The Board has tried to continue to keep matters of complaints in relation to gill net issues alive, but representations now have to be made to MSPs direct rather than through Civil Service because of the lack of response.

### **5. RIVER CATEGORISATION**

FD reports that the River is Category 1 for Season 2018, although nobody can understand why. FD stated that notwithstanding this new Categorisation, the Board needed to continue to implement a strong conservation policy.

John Charteris asked for an explanation on categorisation of salmon rivers. FD provided an explanation on categorisation and on the ban on netting. Peter Hutchison commented that the modelling giving rise to the categorisation is fundamentally flawed. Both Minister and Marine Scotland have been appraised about the failing in the modelling.

The Chairman reported on the history of the categorisation as it affected the River over the last two years. Two years ago the River had been Category 3. Last year it was Category 2, which was felt to be capable of being lived with, and with which the Board was comfortable. The Category 1 categorisation is a surprise to the Board. Notwithstanding the Chairman expressing the feeling that the conservation policy from last year should continue to be promoted.

Peter Landale reported on the Fishery Management plan that had been put off. Since 2011 salmon populations had crashed. The last Fishery Management plan had been produced in 2012. Peter Landale stated that he wanted to see the Board pressing forward with a new Fishery Management plan and asked that the Board look at this.

The Clerk explained the history and the requirement to meet Government template for conservation policy. It was decided that the Board would leave the matter of a new Fishery Management Plan until the Government template had been produced.

FD asked and Peter Landale agreed with him, that the discussion appeared to be at cross purposes. A short conservation plan was reviewed annually.

The Chairman suggested that in the run up to the new season as many people should be made aware of the Board's conservation plan is as possible.

FD suggested that if called for there should be a policy of not killing fish after 9 September. David Kempself advised that this would not be acceptable to members of DGAA. Catch Statistic Returns were now up to 84% on his Beat.

Peter Hutchison stated that the River has a history of fresh fish running into the River until the end of the season. The latter needed to be thought of carefully. Yes, there should be a conservation plan, but on the other hand it needs to be recognised that angling should be encouraged.

The Clerk pointed out that the Proprietors can impose conservation measures on their own particular beats as part of the conditions of issue of ticket sales for these beats.

Peter Landale asked that the policy recommended for last season should be recommended for the forthcoming season and for a review of where the Board was going from that point onwards in light of the fact that return of salmon in Catch Statistics were down.

## **6. FISH COUNTER**

FD reported on the counter proposed for Crawick Water. Planning Permission had been issued by the Council. Controlled Activities Licence from SEPA had been obtained. The Board could proceed with development of the fish counter provided that funds were available. There was full support from BEL and from the relevant tenant farmers at the proposed location of the fisher counter. FD would thereafter turn his attention to the Scaur Water to find a suitable site for the fish counter. Thereafter, the Cairn would be looked at and finally the Nith with the possibility of a fish counter being put in Blackwood Estate.

FD reported that the project would not have got as far as it had without the help of Local Architect, Richard Little, who had given of his services free of charge. FD stated that he believed that the Board should try to complete one fish counter project before taking matters forward. There is a rough estimate of £50,000 to construct and

make serviceable the new fish counter. FD reported however, that he hoped the job could be done for less.

The Chairman stated that he would like to make progress. There were funds for the construction of the fish counter from Consultancy income which should make it affordable. In addition, there was a likelihood for the continuing stream of consultancy income. The Chairman expressed the opinion that the Board could afford the project and it should get on with it rather than rely upon Scottish Government or other grant funding organisations applying conditions which would make completion of the whole project longer to achieve.

Peter Hutchison stated that he believed that there should be a written scientific case made for the project and how this fits with the national scheme of fish monitoring.

Peter Landale stated that if a counter was inserted in the Crawick, then it should measure the fish and create a hypothesis of what those numbers mean in relation to the whole of the river system.

Board Members discussed the matter and agreed that the sub-committee should be set up of Messrs Landale, Hutchison and Gladwin to have a meeting with a view to creating a document laying out the scientific rationale for the fish counter project.

## **7. FISHERY ENFORCEMENT**

FD reminded of the gill net that had been left abandoned and not removed with the nets having been seized and the matter reported to the Police. Thereafter, the owner of the net had complained to the Police accusing the Board Staff of theft and illegal activity, as a consequence of which the Fishery Director had been interviewed by the Police.

FD reminded the Board that at the last Board Meeting it had been decided to write a report and submit it to Scottish Government, MSPs etc. This had been done. FD read out a letter from Roseanna Cunningham MSP.

Oliver Mundle MSP had taken the matter up with Lord Advocate.

Finlay Carson and Joan McAlpine were supportive.

The matter of gill netting continues to be an issue. Another net had been seized when it was discovered with rotting fish in it having been abandoned. Protected birds were also found in the net.

## **8. CARCASS TAGGING**

FD reminded of the issue of carcass tagging issued to haaf netters. Two tags had been released to each party giving rise to a total of 85 tags. Only two fisheries had responded. One fishery proprietor had not even bothered to respond. FD had asked Scottish Government for advice upon the failure of haaf netters to observe the conditions of issue of fish tags. 31 salmon had been killed.

Tom Brown asked Scottish Government about recommending the issue of logbooks with identity pictures and providing full details of statistics of fish caught.

#### **9. GOOSANDERS/CORMORANTS**

FD advised that data in relation to numbers and controlling of these birds had been put to Scottish Government. The Licence issued by Scottish Government had been reduced on Goosander numbers from 24 to 19 but increased in respect of Cormorants numbers from 8 to 15. No control can be carried out below the caul. This is the natural environment of Cormorants.

#### **10. BUDGET - 2018**

The Budget was discussed and the Clerk made comment where appropriate but referred specifically to the detailed notes on the Budget that had been produced and circulated with the draft accounts. The Budget was unanimously approved and it was agreed to hold the assessment and refund at the same level as the previous year. The Clerk sought and obtained permission for the old Rateable Values to be applied until such times as the new Rateable Values Appeals procedure process had been finished.

#### **11. A.O.B**

Thomas Florey raised the matter of the remit of the Board with regard to its Conservation aims. He suggested that the promotion of the River of the Category 1 Status River would be an incentive to bring anglers back to the River.

FD advised that once the Category 1 status had been formally confirmed there would be promotion of the status of the River. Tom Brown asked what the consultation period was in respect of responding to the proposed category status to be applied for the River in the forthcoming season. FD replied it was 28 days which had long since passed. Representations would be considered and then Scottish Government would settle upon the designation for the year.

Tom Brown asked if there had been submission made by the Board in respect of the local limit of the boundary of the river system.

FD advised that strenuous representations had been made to Scottish Government by him in this regard, but they were not prepared to move on it on the basis that estuarial limits of the river brought into play the matter of multi-stock interceptory netting.

It was agreed that dates would be fixed for the meetings and intimated to Board Members in due course.

The meeting thereafter closed.