

NITH DISTRICT SALMON FISHERY BOARD

MINUTES OF THE BOARD MEETING

HELD AT

FISHERIES OFFICE, BLACKWOOD ESTATE, AULDGIRTH, DUMFRIES

ON

12 OCTOBER 2023

PRESENT

Percy Weatherall – Cowhill (Chairman and Upper Proprietor)
David Kempself – DGAA (Upper Proprietor)
Peter Landale – Dalswinton
Richard Gladwin – Blackwood Estate (Upper Proprietor)
Raymond Mundell – (Angler)
Thomas Florey – (Angler)
Peter Hutchison – (Lower Proprietor)
Tom Brown – Drumburn Estate (Lower Proprietor)

MEMBERS OF PUBLIC IN ATTENDANCE

Jamie Hunter-Paterson – Barjarg
Mike Keggans – UNAC

IN ATTENDANCE

Roderick Styles (Clerk)
James Henderson (FD)
Deborah Parke (FB) (Nith Catchment Fishery Trust)

APOLOGIES

Robbie Cowan – Lower Proprietor
Nick Wright Closeburn Castle (Upper Proprietor)
Anna Fergusson

The Chairman opened the meeting and thanked everybody for attending and moved to the Agenda.

DECLARATION OF FINANCIAL INTERESTS

There were none declared.

MINUTES OF THE MEETING OF 21.07.23

The Chairman confirmed that these had been circulated earlier and posted to the Board's website. He asked for comments. There were none. He asked if the Minutes could be taken as being a true recording of the meeting. There was no dissent on the point and they were accepted as such.

MATTERS ARISING FROM THE PREVIOUS MINUTES

The Chairman asked if anybody had anything to raise. There were no matters arising raised.

QUARTERLY REPORT

The Chairman referred to the published and circulated Quarterly Report and FD addressed its terms.

FD reported that it had been a mixed year for angling. The upper river had fished relatively well. Dalswinton water had returned a few fish.

There was discussion on the returns on Nith/Cairn and fishing productivity throughout Scotland. Peter Landale stated that generally speaking, rivers north of the Moray Firth seemed to be fishing better, perhaps because there had been less man-made interference with the rivers.

FD reported that Work continued to arise for the Board and Trust, keeping Board staff very busy.

Network Rail were working on railway infrastructure at Martinton Bridge. A Possession Order had been granted for them to close the line and carry out work. Fishery Board staff had been asked to attend for fish rescue. Divers were engaged to deal with in-river work. The work had to be postponed at the last minute due to rising river levels. It was expected that a new Possession and Closure Order would be required at short notice to attempt to deal with the necessary maintenance work and so Board staff would have to be ready at short notice to attend.

Board staff had taken part in the Scottish Government's EDNA survey undertaken to attempt to determine the presence/absence of pink salmon in the river system. The results are still to be published.

Whenever the Board staff are on commercial survey work, water chemistry samples are taken to build up a comprehensive data base of the river.

The sea trout and salmon events had taken place during the summer, four nights for sea trout fishing and one day of salmon fishing had been made available to the public on beats donated by proprietors. Arranging the events gave rise to a lot of time spent in administering to the events. FD reported that it was extremely frustrating to find that anglers who had committed to the event were cancelling at the last minute or not even turning up for the event. After discussion on the subject, it was decided to abandon the projects for future years.

The Chairman asked if there was a problem with raised acid levels in the river system as a result of windfarm construction taking place throughout the catchment. FD replied that he had undertaken water sampling work immediately after a high water event at a wind farm site near Dalmellington and it had subsequently been found that the PH level in the sampled watercourse had been Ph 4. The wind farm construction activities gave rise to disturbance of peat. Similar events happened during forestry felling operations in peat bearing land. FD expressed concern that the increase in Ph caused by these events could adversely affect small fish. FD further reported that in river flood events, the colour and foam content of the water seemed to increase and he wondered if this was being caused by disturbance of peat.

Peter Landale stated that it would be useful to raise this subject with Melanie Smith of AST. He stated that he thought that all drainage off peat areas could be potentially damaging. If the Board could take and regularly monitor a chosen tributary then this may be of use in determining if damage was caused.

Peter Landale stated that it had been discovered that River Spey had suffered from phosphate poisoning, when in September 2023 around three hundred fish had died. The phosphate in the river had given rise to an algal bloom causing the fish mortality.

FD reported on a large peatland restoration project which commenced in September. The project was to have been commenced earlier in the year but had been postponed because of the potentially adverse effect that it would have had on nesting birds, yet no approach had been made to the Board on potentially adverse effect on fish by carrying out the work in September. When FD had raised the issue with Scottish Water they were not interested. FD had not been able to take the matter under Board statutory powers because no salmon were present in the affected watercourses where peatland restoration was to take place.

The issue was discussed and it was agreed that the Board should ask as a matter of planning consideration and policy that any issued planning consent for wind farm operations should be the subject of water monitoring policy.

Peter Landale stated that water monitoring is being carried out throughout Scotland, but that nothing is done to deal with the adverse issues arising out of the disclosed monitoring. He stated that wind farm and hydro scheme construction were incredibly destructive in their effects.

Jamie Hunter-Paterson asked if it had been possible to process the data collected from the three hundred or so data collection sites. FD replied that it had not been possible because the Board didn't have the technical capacity to do so.

Peter Hutchison suggested that key areas within the catchment could be identified for a project on the river system to be started to try to identify what might be done to improve matters.

Peter Landale suggested that small controlled areas could be identified and monitored with a view to identify what problems exist and where steps could be taken to improve matters.

The Chairman drew attention to the smolt tracking project. FB circulated a data monitoring paper regarding initial findings on post tagged smolt movements in river and at sea for years 2021, 2022 and 2023.

FD drew attention to two issues arising from the initial findings report, being:-

(one) that smolts that are tracked via the Compass Array monitoring buoys between Mallin Head and Islay and the Sea Monitor is located further up the west coast of Scotland. Percentage survival of smolts cannot be extrapolated from the monitored results because such a vast area of sea could not be fully covered by the monitoring equipment.

(two) of more interest is the survival rate of smolts to the river estuary at Kingholm Quay.

FD had found that there was smolt loss of about two percent of smolts tagged from just above the Caul at Dumfries, which had surprised him, because he suspected that a lot of smolts were lost from bird predation at this location, whereas the monitoring results suggested that the problem was not as great as he had suspected.

Peter Landale stated that it had been found that where smolt tagging had taken place throughout Scotland, the mortality rate from the effects of tagging had been approximately twenty five percent of smolts tagged.

BOARD STAFF

The Chairman raised the matter of the Clerk's position with the Board. The Clerk had recently retired from legal practice, but was willing to remain as Clerk to the Board. The Clerk had been appointed at a time when he was a practising solicitor with Messrs Walker & Sharpe, (W&S) Solicitors, Dumfries, with the Board being a client of W&S during that time. However, he was no longer working for or employed by W&S. The payment of the Clerk's annual remuneration had been achieved by W&S raising an annual fee payable by the Board, as assessed and determined by the annual budget produced for and approved by the Board.

It was proposed that the Board would remain as a client of W&S, but solely for the purpose of W&S carrying out and recording the cash work carried out for the Board relating generally to payroll handling for employees, banking of annual assessments and consultancy income and payment of bills for goods and services and other cash related activities. In this way there would be accurate computer records kept with the thoroughness required of practising solicitors of all of the cash work, capable of satisfying the Board's statutory audit requirements. W&S would be paid an annual fee. The Clerk would carry out all of the other functions that he had previously performed for the Board, but in a self-employed capacity.

For the financial year 2023, the total cost to the Board for the provision of services by both W&S and the Clerk would be neutral, in that payment would be made to both W&S and the Clerk from the figure allocated for payment of the Clerk in the annual budget for 2023. In subsequent years, the accountants would produce a proposed annual budget figure for payment of each of W&S and the Clerk. It was proposed that the position of Clerk to the Board would be reviewed in five years' time. A Service Contract had been drafted to reflect the proposed new arrangements.

The Board unanimously approved of the proposed arrangements.

FD advised that Shalom had now finished her course and is a fulltime employee of the Board.

TRUST UPDATE

The Chairman reported on the Trust's meeting on the evening of 11 October. The National Electrofishing (NEPS) surveys over twenty-seven sites had been completed for Marine Scotland.

Fishing for the future is continuing.
Restoration projects continued.
Signal crayfish monitoring continued.

AOB

Mike Keggans spoke to expand on an email recently sent to the Clerk at the request of Upper Nithsdale Angling Club (UNAC) members.

He reported that last year, UNAC members had caught twenty eight salmon and seventy five sea trout. Thirty to forty years ago catch returns had been four hundred and fifty salmon and three thousand sea trout.

As regards UNAC membership, only forty anglers were below the age of sixty. UNAC members wanted to try to encourage younger anglers to join their club.

Mike Keggans had been asked to approach the Board to see if it would support the proposed stocking of juvenile or adult trout into their water, operate a hatchery for the purpose and if it might be possible for a salmon hatchery to be operated to stock salmon into their water.

He also asked about the salmon stocking policy operated by the Board and where it was that salmon stocking operations were undertaken.

The members of UNAC referred Mike Keggans to the River Cree hatchery operation as a supporting example of what might be done in their water on River Nith.

The Chairman and various Board members expressed sympathy for the position expressed on by Mike Keggans on behalf of UNAC.

The Clerk and FD advised that scientific attitude had changed towards operating a hatchery. It was now considered to be damaging to existing wild fishery stocks of salmon, sea trout and brown trout to operate a hatchery to introduce salmon and brown trout into a river. The genetic integrity of existing wild stocks of fish would be damaged and diluted. Operating a hatchery and introducing fish to any watercourse or loch now required the application for and granting of licences issued by Marine Scotland. It was very difficult to obtain these licences. While the Board had one licence for both capture of native salmon brood stock and planting out of resulting juvenile fish, the capture has to be taken from declared locations referenced by grid location and the juvenile fish similarly had to be planted out in similar grid referenced locations. The hatchery operated solely for the purpose of providing compensatory stocking into a watercourse in close proximity to where a water course had been lost due to open cast coal mining operations. The licences held by the Board were due to expire in 2024. Only two brood stock salmon had been captured for the purpose of compensatory stocking in year 2022.

Under all of the circumstances, the Board were not in a position to support any stocking initiative of either salmon or sea trout.

Mike Keggans asked if a report on the Board's position to the request could be sent to him and it was agreed that this would be done.

Tom Brown advised that he had attended another meeting of Nith Life. The guest speaker had not turned up. There was nothing else to report from the meeting.

Peter Landale advised that he had been invited to attend a Nith Life meeting and would be going to it.

The Chairman then asked in rotation if anybody had any other matters to raise. There being none, the meeting thereafter closed.