

NITH DISTRICT SALMON FISHERY BOARD
MINUTES OF
BOARD MEETING
HELD AT BUCCLEUCH & QUEENSBERRY HOTEL, THORNHILL, DUMFRIESSHIRE
ON
26 APRIL 2024 AT 10 AM

PRESENT

1. Percy Weatherall – Chairman
2. Tom Florey – Angling Representative
3. Raymond Mundle– Angling Representative
4. Robbie Cowan – Caerlaverock Estate
5. Anna Ferguson – Buccleuch Estates
6. David Kempell – D&GAA
7. Nick Wright – Closeburn Castle Fishings
8. Peter Landale -Dalswinton
9. Tom Brown – Drumburn
10. Richard Gladwin - Blackwood

MEMBERS OF THE PUBLIC ATTENDANCE

James Hunter-Paterson
Mike Keggans
Matthew Law

IN ATTENDANCE

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

The Chairman opened the meeting by welcoming all present.

1. APOLOGIES

Ivor Hyslop – Dumfries & Galloway Council, due to illness.

Peter Hutchison – In this regard, the Chairman referred to the letter sent to the Clerk by Peter Hutchison and circulated among Board members to the effect that Peter Hutchison had decided to retire from the Board after in excess of ten years' service as a Board member. The Chairman stated that he would like to record the Board's recognition of the valuable contribution of Peter Hutchison to the activities of the Board during his time as a Board member.

2. DECLARATION OF FINANCIAL INTERESTS

The Chairman asked Board members to intimate any financial interests that might impact upon or cut across a Board member's duties. There were none intimated.

3. BOARD MINUTES OF THE MEETING OF 18 JANUARY 2024

The Chairman referred to the draft Minutes, confirming that they had been circulated among Board members and asked if there were any comments on them. David Kempzell stated that the Minutes were inaccurate in that there was mention made in them of the Board having agreed to fix a new rate in the Pound (£) for assessments at £2.31, whereas there had been no vote taken on the rate to be agreed by Board members. He had written to the Clerk to advise that the rate in the Pound had not been agreed at the Board meeting, that on behalf of his Angling Association members, Dumfries and Galloway Angling Association would not accept the resulting 2024 Assessment issued to it and that he wanted the previous rate in the Pound of £1.57 used in the calculation of recent year's assessments re-instated in the calculation of Assessments for the year 2024. He stated that his position on this matter was supported by other Board members, including Peter Landale, who had according to David Kempzell stated at the meeting on 18 January words to the effect that the Board would have to look at alternative sources of funding from habitat enhancement and similar projects to cut the cost of running the Board.

Peter Landale commented to the effect that he agreed with David Kempzell that the rate of £2.31 had not been specifically mentioned and that other Boards were bringing in other sources of income.

The Chairman expressed surprise. He stated that he believed that the draft Budget together with notes on the draft Budget had been circulated prior to the meeting and that there had been full discussion on both documents. Mr Kempzell's comments on the circulated documentation made at the January 2024 meeting had been noted. There had been lengthy discussion on the subject of the draft Budget, the note on it and the proposed rebate in the Gross Assessment for 2024, after which the Chairman had asked for approval of the draft Budget and the proposed refund of 75% on gross Assessments, to be paid for from Board cash reserves derived from Consultancy Income. He had asked for any comments from the floor of the meeting as to this proposal and there having been none, the draft Budget with reference to its contents and the notes on the draft Budget for the year 2024 were considered to be approved. He believed that the draft Budget and the 75% percentage rebate on gross Assessments had been approved by Board members. He had not asked for a vote, as it was his custom to try to reach approval on decisions made by the Board by consensus. He stated that he was aware that almost half of the total 2024 Assessments issued by the Board had been paid by proprietors.

The Clerk referred to his recollection of what had been stated at the meeting on 18th January and to David Kempzell's letter to him. The Clerk stated that he recollected that at the January 2024 meeting David Kempzell had specifically mentioned in his comments on the draft Budget the figure of £2.31 in the Pound calculated to meet the figures brought out in the draft Budget. The presentation of the draft Budget had been the subject of advice taken by the Board's accountants. The Clerk pointed out that David Kempzell had stated in his letter to the Clerk that the rebate of 75% had been agreed. The Clerk stated that it was not possible to agree a 75% rebate on gross Assessments without approval of the draft Budget.

There was lengthy discussion about what had been discussed and had happened regarding the subjects of draft Budget, Refund of gross assessments and rate in the pound at the January 2024 Board meeting. It was finally agreed for the Board's minuted records that the draft Budget was approved, the 75% rebate on gross Assessments was approved, but that the rate on the Pound of £2.31 had not been explicitly mentioned verbally. The Chairman apologised to David Kempzell for any misunderstanding on the subject and asked that his apologies be taken back to Dumfries and Galloway Angling Association Committee in the hope that the Committee will agree to pay the 2024 Assessment.

It was agreed that there should be a greater attempt at clarity on the procedure of fixing future Assessments and that this should be noted as an Agenda item for the future.

4. MATTERS ARISING

A) Budget and Assessments

It was agreed that this had been dealt with under Agenda item 4.

B) Hatchery

Raymond Mundell stated that he had a proposal to put for consideration by the Board to raise output of the hatchery to the maximum permitted capability. The catchment is in Category 3. The view of the scientific community rails against specifically increasing numbers of juvenile salmon from hatcheries. Around Scotland hatcheries are being operated in different areas. The procedure of trying to get permission to increase numbers is tortuous. Mr Mundell stated that he was in favour of environmental improvement. The River Cairn is tree lined, but salmon numbers are still crashing. The Board really needs to give Nature a hand. Mr Mundell stated that his proposal is that the Board makes application to increase hatchery output for a salmon lifecycle of four to five years. The feeling is that a stage has been reached whereby the Board needs to utilise all the tools in the box.

The Chairman asked the FD to respond.

FD stated that the scientific theory is that utilisation of hatchery can cause more damage than good, but there is now interest in hatchery operations developing. SG appear to be coming to the view that hatchery operations will be permitted if the fishery is on its last legs, but what is considered to be a fishery on its last legs differs in biological terms compared to angling terms.

The Chairman asked FD if he thought that there should be more of a push to seek approval of increase in hatchery capacity. FD asked Peter Landale for his views.

Peter Landale stated that statistical analysis suggested that 0.03% of hatchery reared fish would return as adults, but what is not known is the extent of damage that will be done to the fishery as a result. The science is

clear now. There are projects arising from Aberdeenshire Dee to breed fully grown fish to be put into burns to breed, where there are no wild fish coming forward. It is a struggle to find a scientist who will agree to hatchery operations. It would be necessary to find an engine room for salmon in the river. Atlantic Salmon Trust look at hatchery matters all the time and hatcheries have not worked. It has not worked on the Nith system.

Raymond Mundell advised of success of hatchery operations on the River Carron. The Kirkcudbrightshire River Cree used hatchery operations and were reporting catch statistics of 20% return of hatchery reared salmon, identified by fin clipped fish from the hatchery operation. On the ground practical observation has a part to play. The Board has both the expertise and the hatchery facility to carry forward hatchery operations.

FD advised that the Board couldn't return fin clipped juveniles to the river because the Board didn't have the facilities to retain fry to parr stage in order for the fish to be big enough to fin clipped.

The Chairman stated that hatchery matters will continue to be considered.

C) Board Vehicle

FD reported that having obtained the sanction of the Board to sell the Land Rover and purchase a replacement vehicle, he has managed to do both and obtained a flat bed pick up van and sell the Land Rover for a sufficiently good price to result in an overall nett benefit to the Board of £2,900.

5. RIVER REPORTS: NITH FISHERY MANAGEMENT PLAN QUARTERLY REPORT

FD referred to the Quarterly Report circulated. He advised that there had been a lot of administrative work carried out in the last quarter. Staff had been involved in completion and submission online of Phase 2 of the Board's government approved Fishery Management Plan (FMP) template by the deadline date of 31 March 2024, as mentioned on pages 5 and 6 of the Annual Report. FD also referred to the FMS report produced along similar lines to the FMP template for Rivers Spey, Tay and other river systems. Hatchery is mentioned in the FMP template as one of the tools for management.

Tom Brown commented on the "shoot to scare" policy for attempting to deal with avian predators, which seems to be a nonsense. FD replied that the Board has a shoot to scare licence with a dispensation to kill a limited number of these birds.

Richard Gladwin asked about the commencement and frequency of water quality testing and monitoring. FD replied that sampling is undertaken every two weeks, including for presence/absence of Saprolegnia. The Board is now being approached by commercial organisations who may need to show an ability to carry out water monitoring as part of their business operations, but who don't have the appropriate equipment to carry out the work. FD reported that the equipment used by the Board

showed reasonable nitrate levels, but that phosphate levels were so high as to require different testing equipment.

FD reported that the Haaf Netters Association had made a donation of £500 to the Trust to assist with water quality monitoring equipment.

Peter Landale stated that there was no mention in the Quarterly Report of smolt trapping on the Crawick Water. FD replied that trapping has started after the end of the quarter covered by the report, on 22 April and would continue for seven days per week during the smolt run. It had been impossible to start trapping any earlier because of the prolonged spell of wet weather resulting in high water flows which made siting and operating of the smolt trap impossible.

6. FISHERY MANAGEMENT PLAN

FD reported on the amount of technical work using specific computer software required to complete Phase 2 of the FMP template. The Quarterly Report now has prescriptions designed to meet the aims of the FMP. Given the amount of business to be conducted that day it was felt appropriate to provide a Power Point presentation on the FMP in a future Board meeting.

Peter Landale stated that the size of the FMP troubled him and how audit of it is taken forward. The Board should agree the FMP. The Board needed to do a stock assessment and then decide where the effort should go in. He stated that he thought that the work carried out at Dalgig is wrong. He stated that he thought that a lot of work needs to be done on the FMP.

The Chairman asked Peter Landale to explain what he meant by audit. Peter Landale advised that Alison Baker of AST would be best placed to explain what would be required for audit purposes. He stated that there needs to be a wider conversation on the FMP.

Board members agreed that FMP should be taken forward to a future meeting as a presentation by FD, with input from Peter Landale and for comment on resources to be able to fund it.

7. TRUST UPDATE

The Chairman advised on the subject matter discussed at the Trust meeting held the previous evening, including Fishing for the Future, the FMP, smolt trapping, pink salmon and DNA results, restoration projects on Laggan Burn and Crawick Water. David Kempzell asked if the projects could be posted on Social Media sites and FB agreed to look into this. Peter Landale issued a word of caution on the use of Social Media sites for publication.

8. AOB

FD asked for the possibility of obtaining Board permission of taking on an employee with previous experience of Fishery Board operations on a temporary ad hoc basis.

The Chairman asked for agreement from Board members that this could be done on the basis of what it costs for an employee and what is brought in by way of cash benefit, which proposal was agreed to by Board members.

There being no other points raised, the meeting closed.

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