NITH DISTRICT SALMON FISHERY BOARD

MINUTES of the BOARD MEETING

HELD AT

BUCCLEUCH & QUEENSBERRY HOTEL, THORNHILL, DUMFRIESSHIRE
ON

7 AUGUST 2025 AT 10 AM

(following on from the Annual Public Meeting)

PRESENT

1.	Percy Weatherall	(Chairman (Cowhill – Upper Proprietor)
2.	David Kempsell	(D&GAA– Upper Proprietor)
3.	Peter Landale	(Dalswinton– Upper Proprietor)
4.	Matthew Law	(Portrack– Upper Proprietor)
5.	Ivor Hyslop	(Dumfries & Galloway Council– Lower Proprietor)
6.	Anna Austin	(Caerlaverock Estate – Lower Proprietor)
7.	Tom Brown	(Drumburn– Lower Proprietor)
8.	Tom Florey	(Angling Representative)
9.	Raymond Mundle	(Angling Representative)
10.	Anna Fergusson	(BEL – Upper Proprietor)
11.	Ronnie Clark	(Tenant Netsman)
12.	Mike Keggans	(UNAA – Upper Proprietor)

MEMBERS OF PUBLIC IN ATTENDANCE
None

IN ATTENDANCE

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

MEMBERS OF THE PUBLIC IN ATTENDANCE
None

1. **WELCOME AND APOLOGIES**
   The Chairman opened the meeting and welcomed all present**.**

   Apologies were received from:-

Nick Wright	(Closeburn Castle - Upper Proprietor)
James Hunter-Paterson	(Barjarg– Upper Proprietor)

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.
   Peter Landale declared his Chairmanship of Atlantic Salmon Trust
   Anna Austin declared her interest as a Director of South of Scotland Enterprise (SOSE)

3. **BOARD MINUTES OF THE MEETING OF 24 APRIL 2025**
   The Chairman asked for comments or objections to the terms of the Minutes of the previous Board meeting, already circulated, stating that if none were received then they would be taken as approved. There being no comments thereon, these Minutes were taken as approved.

4. MATTERS ARISING

(a) Galloway & Southern Ayrshire Biosphere

The Chairman summarised the position that had developed since the presentation given by Ed Forrest of Galloway and Southern Ayrshire (GSA) Biosphere at the Board meeting on 24 April 2025. Mr Forrest had been asked what it was that he wanted of the Board and he had replied stating that he wanted the Board's endorsement for the Biosphere's proposed "Source to Sea" Project. The Board's response at the meeting was to ask for copies of the LUC report and the FIRNS application referred to by Mr Forrest in his presentation before it could make such a decision. This and other documentation had been received by the FD shortly thereafter and circulated to Board members. There had been sufficient concern about the contents of all documentation sent by Mr Forrest for an *ad hoc* committee of the Chairman, Peter Landale, FD and the Clerk to be convened to discuss the matter on 16 May 2025, particularly given that it had been discovered that the FIRNS application had been submitted to the relevant grant authority without input by the Board and that a decision thereon was expected imminently.

As a consequence, a letter had been drafted and approved by the sub committee for the Chairman to send to the Chairman of GSA Biosphere outlining the Board's and Trust's duties and functions within the Nith Catchment, expressing concern at the lack of consultation with the Board on the FIRNS application and its submission for consideration of award of grant and asking for acknowledgement and reply from GSA Biosphere. A reply had been received, a sub committee meeting convened to consider its terms on 4 June 2025, and thereafter the Chairman had responded by letter to the effect that the whole matter of documentation and correspondence exchanged would be the subject of full Board consideration and decision at this meeting. All correspondence concerning the matter had been circulated to Board members during the intervening time between the April Board meeting and this meeting to keep Board members informed.

Peter Landale had met with Anna Austin, she having advised that she was involved with SOSE, which had agreed to provide funding to GSA Biosphere. Thereafter Peter Landale, Anna Austin and FD had met to discuss the matter. Following on from this meeting, the sub committee had met on 30 July 2025 to discuss the matter, noting that in the intervening time the FIRNS application had been refused. At this meeting, the sub committee formed the opinion that it could be of potential benefit to the Board and the furtherance of its management aims if an approach could be made to GSA Biosphere to try to get as much information as possible on the proposed Source to Sea project. It had been agreed that Peter Landale should provide a briefing paper for the benefit and consideration of the Board at this meeting, this had been done and the briefing paper had been circulated to Board members.

Peter Landale stated that in his opinion there is a massive opportunity to develop a relationship for the benefit of the Board's environmental management aims but that the Board would have to become fully informed before any decision could be made to take matters forward.

Anna Austin stated that SOSE want to develop a Natural Capital Zone comprising the whole of the Southwest of Scotland. SOSE had been considering how to engage with relevant stakeholders to deal with various aspects of related projects. They had approached GSA Biosphere. The FIRNS application had been submitted to seek finance for a pre engagement report. The LUC report had been prepared in support of that application. FIRNS was in the nature of being an investment readiness fund providing a resource to keep such projects going in their very early stages and any relevant organisation, including the Board could apply for such funding. SOSE are looking for a flagship project in the region. There is a huge opportunity for the Nith Board to take the project forward.

There followed discussion among Board members about the information disclosed. The Board, after full consideration of the subject agreed that a sub committee should be set up comprising Peter Landale, Anna Austin and FD and that the sub committee should arrange to meet with all interested parties and potential stake holders in the area including SOSE, GSA Biosphere, the Council and others to gather as much information as possible with a view to reporting back to the Board for further consideration and decision making.

5. QUARTERLY REPORT and RIVER UPDATE

FD referred to the Quarterly Report document circulated prior to the meeting.

FD had been working with BEL and others on an issue arising from old mine workings at Wanlockhead. The Crawick Water comprises the Spango Water and the Wanlock Water, the latter of which suffers from heavy metal flush pollution including lead, which affects juvenile fish in the form of fin rot and spinal deformity. FD had raised the issue many years ago. SEPA appear to have funding to investigate the matter. Old mine spoil heaps have, over time become eroded, resulting in the pollution flush entering the Wanlock Water. FD stated that he would like to see work carried out to stabilise the old eroding spoil heaps to try to reduce the polluting flush into what is a very important spawning tributary for the Nith system.

Tom Brown asked if the Board was still involved in attempting to control Himalayan Balsam, a non-native plant. FD replied that the plant is spreading so fast that it is impossible to be able to deal with it effectively, with the management team being so busy with other aspects of work in the catchment.

Peter Landale asked about the extent of the Board's involvement in the Whitesands Flood Mitigation Project, whether or not the Board was contracted to be involved with it and the extent of the Board's likely liability regarding the project. FD replied to the effect that it was the Trust and not the Board that was involved with the project and so the Board had no likely liability arising from it. The first phase of survey work had commenced through Dumfries town. FD advised that he had been surprised at the extent of the number of protected species of animal and plant life present in what appeared to be such an area of poor habitat. The survey had also shown that there were signal cray fish present in large numbers. A purchase order had been raised to the value of £40,000 for this initial survey work and it was likely that more funding would be required to pay for further survey work if the project proceeds. Ivor Hyslop stated that there was an allocation within the Capital Plan of the Council for the project for the next ten years and that the Scottish Government March 2025 deadline for fund application had been met.

Peter Landale stated that he wanted to know where matters stood in respect of the Directors' liability for work undertaken by the Board for third parties and in respect of Health and Safety at Work. FD responded that there is a full health and safety file for work carried out by the Board which is updated with reference to FMS recommendations every year. The Clerk was asked to investigate the matter of Health and Safety policy and third-party liability insurance cover for the Board.

Counter Update

FD reported that the matter of a fish counter had been looked into, with a visit having been undertaken to see the River Deveron counter employing new technology utilising artificial intelligence. The Trust's view is that the idea of a fish counter is attractive but that it is not best value at the moment.

Restoration Projects

FD reported that BNG assessments had been undertaken on Laggan and Mennock waters and that he wanted to push these projects forward, hopefully with support of SPEN. FD and FB stated that they hoped for the results of the BNGs shortly. BEL has been generous with land given over for these proposed projects. Carco phase 1 project has been completed and phase 2 is being developed. However, landowner agreement has been confirmed.

The Chairman suggested that it would be a good idea for a 10 yearly report on restoration projects and work previously done, being done and work to be done.

6. SEPA – Upper Nith Project

FD reported that he had been contacted by a SEPA representative to urgently seek the assistance of Board on a fish rescue issue arising from the latest phase of the above project. FD reminded Board members of the history of this project and the difficulties that had arisen for him when he had been asked to project manage the first phase of the project some years previously. He had at that time recommended full fish survey be undertaken, but that this had been declined by SEPA, who had stated that a "walk over" survey to establish fish populations was sufficient. He had subsequently withdrawn from managing the project partly because none of his advice had been accepted or actioned. Subsequently, a flood had washed away bed matting and equipment, which in his opinion should have had more adequate precautionary measures put in place to mitigate against such possible flood events. Tweed Forum had thereafter been engaged to site manage the project. Subsequent visits to site by Board members had raised questions about whether the project was worthwhile, given the cost of undertaking it.

In the most recent circumstances, the new site work contractor, who appeared to be environmentally aware, had identified the presence of protected lamprey in a watercourse connecting with the mainstem river as a consequence of reprofiling the watercourse with a digger which had unearthed the lamprey from the watercourse bed. Work had stopped immediately and SEPA had been contacted, with FD then being asked to deal with the fish rescue. FD stated that he felt very strongly that the main environmental agency regulator in Scotland (SEPA) had instructed the work to be carried out without proper investigation of fish species present in the area of operations and therefore without due regard to protection of the environment that SEPA was supposed to protect. As a result of the fish rescue operations over the course of three working days, the management team had dealt with the relocation of many fish, including lamprey from the watercourse to the mainstem of the river. FD wanted permission to take the matter further with SEPA. The matter was discussed and while concern was expressed by Board members it was decided that there should be no further action taken in respect of the incident.

7. DALSWINTON HATCHERY

The Chairman advised Board members that the Board had, with the permission of the Landale family and funds from a wind warm project, built a hatchery at Dalswinton 18 years ago, with the Board's occupation and operation of the hatchery being regulated by formal lease, due to expire in eight years' time. Peter Landale had approached FD asking if the lease could be terminated and the hatchery building taken in hand by the landlord in furtherance of agricultural operations. Peter Landale was prepared to offer alternative accommodation in place of the hatchery building. The Chairman asked if any Board member had objections to the request. Mike Keggans advised that he and former Board member Raymond Marshall had pushed for the original construction and operation of this hatchery for the sea trout project. The Board was now involved in the Euchan Water stocking project, presently being operated from Blackwood Hatchery. It was possible that more hatchery operations for other tributaries might follow. Mike Keggans asked if FD approved of the giving up of the Dalswinton Hatchery. Peter Landale offered as a compromise that if any authorised hatchery project came forward in the future then he would offer a signed letter to reinstate the hatchery at his expense, for future use. It was unanimously agreed to accept the surrender of the occupation of the hatchery, subject to the offer of a signed letter to this effect.

8. EUCHAN WATER PROJECT

FD reported that he had conducted a site visit to Euchan Water with Board members Raymond Mundle and Mike Keggans, who had each been invited to select a section of the water for electrofishing survey to establish presence of salmon fry. In each location an electrofishing survey had confirmed the very good presence of salmon fry. Raymond Mundle stated that he had been very impressed with the very healthy populations of salmon fry present in each survey site. Mike Keggans commented that he thought that the fry sizes were larger than those from River Cree. FD advised that size of juveniles was dependent on a number of factors including the condition of the tributary stocked as regards water quality and available feeding. In addition, the age at which fry were released into the tributary would make a difference. The Cree Board retained fry and released them in Autumn. What would be important to establish with future monitoring would be survival and conversion of fry through to parr. Peter Landale asked if it would be possible to smolt trap the Euchan Water next year. FD replied that in theory it would, but that it would require a very large smolt trap. Peter Landale asked if it might be possible to PIT tag smolts. FB replied that it would be possible but the cost of installing a PIT array might be prohibitive.

9. NITH CATCHMENT FISHERY TRUST UPDATE

The Chairman provided an update on the Trust's meeting held the previous evening, pointing out that much of what had been covered in that meeting had already been covered in this meeting. The Fishing for the Future project is going well this year and may be expanded in future. FB advised that this is a "pink salmon year" and that information on what to do if one was discovered was provided in printed form to take away from the meeting.

10. AOB

The Chairman asked for any questions.

Mike Keggans asked when the Finance sub committee might meet again. It became apparent that Richard Gladwin who was on the Finance sub committee was going to resign, having taken up employment again elsewhere.

Mike Keggans asked for views on the presence of salmon in the river system. FD reported that he had seen both salmon and grilse in the town water when carrying out the preliminary survey work related to the Dumfries flood prevention scheme project. There had been reports of salmon seen on BEL water. Raymond Mundle advised of SG's recently published river categorisation for 2026. The Nith system remained in Category 3 or "poor" category.

The meeting thereafter closed.