

NITH DISTRICT SALMON FISHERY BOARD

MINUTES of the BOARD MEETING

HELD AT

**BUCCLEUCH & QUEENSBERRY HOTEL, THORNHILL, DUMFRIESSHIRE
ON**

29 JANUARY 2026 AT 10 AM

PRESENT

- | | |
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| 1. Percy Weatherall | (Chairman (Cowhill – Upper Proprietor) |
| 2. David Kempself | (D&GAA– Upper Proprietor) |
| 3. Tom Brown | (Drumburn– Lower Proprietor) |
| 4. Tom Florey | (Angling Representative) |
| 5. Raymond Mundle | (Angling Representative) |
| 6. Mike Keggans | (UNAA – Upper Proprietor) |
| 7. Matthew Law | (Portrack– Upper Proprietor) |
| 8. Peter Landale | (Dalswinton– Upper Proprietor) |
| 9. Ivor Hyslop | (Dumfries & Galloway Council – Lower Proprietor) |
| 10. Anna Ferguson | (Buccleuch – Upper Proprietor) |

IN ATTENDANCE

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

MEMBERS OF THE PUBLIC IN ATTENDANCE

None

1. WELCOME AND APOLOGIES

The Chairman opened the meeting and welcomed all present.

Apologies were received from:-

Anna Austin	(Caerlaverock Estate – Lower Proprietor)
Nick Wright	(Closeburn Castle - Upper Proprietor)
James Hunter-Paterson	(Barjarg– Upper Proprietor)
Ronnie Clark	(Tenant Netsman)

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 reiterated his involvement with two NGOs in respect of land that he had an interest in within the catchment.

3. BOARD MINUTES OF THE MEETING OF 7 AUGUST 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/cont..

(a) Directors and Officers Insurance Cover

FD reported that following on from the decision made by the Board, the requisite cover had been obtained at the annual review of insurance cover undertaken with the Board's insurance brokers.

(b) Governance Documents

The Clerk stated that the draft Governance documents previously circulated among Board members had been finally approved and issued by FMS. The Clerk stated that he had forwarded the final document to all Board members.

(c) Dalswinton Hatchery

Peter Landale advised that the new replacement for the Dalswinton Hatchery was now vacant but that it needed to be made good for occupation by the Board, hopefully within the next six months.

5. QUARTERLY REPORT and RIVER UPDATE

FD referred to the Quarterly Report document circulated prior to the meeting. He reported that since its completion, a major pollution incident had taken place in the upper catchment at the wind farm development located at the top of the Scaur water. This was considered to be very serious, given the presence of ova in the redds in the Scaur water. SEPA had attended with two representatives. FD had asked for the site to be shut down, pending the resolution of matters giving rise to the pollution. FD had tendered advice concerning the lack of suitable settlement lagoons to contain the runoff of water from soil exposed on the site during engineering operations. A road was being constructed by the site contractors to serve the wind farm on a hill side. There had been heavy rainfall, the effects of which hadn't occurred to the contractors, despite them having their own environmental consultants. SEPA had taken samples of water and are considering what action might be taken as a consequence of the pollution event. The contracting company have updated and made more robust their procedures for dealing with such events and have stated to FD that they will be approaching BEL to seek more land take for the creation of settlement lagoons. Anna Austin advised that she was not yet aware of BEL having been approached about the matter.

FD stated that he had met with a representative of the wind farm development company to discuss the matter. The meeting had been constructive. FD stated that it is possible that prosecution for pollution offences may follow, so he felt that he was not in a position to divulge more information at present, in case it impacted upon any future legal process. FD stated that it was currently impossible to assess the level of potential damage that may have been caused to spawning redds and fish populations because survey work could not be undertaken due to the presence of ova in redds. FD stated that he would investigate further at a suitable time. FD had taken photographs of the site for future reference.

Peter Landale asked what had happened to cause the pollution incident. FD replied that the contractors had been working on a steep slope with multiple heavy machines which had chewed and broken up the ground causing severe soil runoff during heavy rain. The settlement lagoon on site was not sufficient in size to contain the runoff and let the sediment settle. The planning permission for the site states that adequate controls should be in place to deal with this type of situation, the wording of which was in FD's opinion too vague. When FD had met with the director of the wind farm development company he had tried to find out if the contractors were on a performance time related bonus and had been told that they were not.

Peter Landale stated that there was not enough consideration of what the adverse effects of work such as wind farms and peatland restoration can have on river systems. He was pleased that a photographic record had been made. FD reported on his previous experience of similar incidents and that it seemed to him that the contractors don't know enough of what effect their work can have on water courses. He stated that it is good that the Board has data on the Scaur. Peter Landale raised the issue of how developers could be made aware of the potential adverse effects of their work to get them to buy into environmental investment for natural capital restoration. The Clerk suggested that while he was sure that FD's environmental reports obtained for the planning process for such developments would cover the point, it might be of benefit to state robustly the potential consequences of incidents like this, so that there could be little doubt that any damage to the environment in general and the fishery in particular could be deemed to be foreseeable for the purposes of establishing future liability on the part of contractors for the consequences of such mistakes. FD stated that he provided such information, but that he would review the position for the purposes of responding to planning applications.

FD advised that he was going to make a slide presentation of the nature of the activities of the river management team for year 2025. The slide show covered:-

1. Review and update of governance, health and safety review, insurance cover, vehicle and equipment replacement, renewal and servicing, preparation of Annual Report, to Government, FMS and the public and management and update of the Board's website and social media platform.
2. Hatchery review, fry stocking, electrofishing survey work, annual licence renewal for brood stock capture, avian predators and seal control.
3. Legal enforcement involving police liaison, haaf net and rod fishing, covert and overt patrols for all relevant matters, including autumn and winter spawning tributaries, enforcement of fisheries protection legislation in respect of development work in the catchment and application to Scottish Government marine fund for equipment, use of thermal binoculars and drones.
4. Review of survey and river monitoring work carried out during the year.

Peter Landale asked if the relevant licences and permissions were in place, including access to private land for the use of drones. FD stated that he was aware of the issue. Licences for drone use had been obtained, training on drone use had been undertaken and the subject of drone use for fisheries protection enforcement is being considered by FMS, they being in the process of arranging a conference on the subject.

5. Survey work undertaken by the management team during the course of 2025 comprised 207 electrofishing surveys, 209 aquatic invertebrate surveys, eDNA analysis, signal crayfish surveys, redd counting in tributaries, freshwater mussel surveys, otter and water vole surveys.

Mike Keggans asked about the number and condition of redds. FD replied that on the basis of his past experience of redds, they are still holding up well for breeding purposes. Peter Landale asked if a report on the redds in different parts of the catchment existed. FD replied that one was produced in each annual report and that the matter was currently being addressed for the production of the forthcoming 2025 Annual Report.

6. The commercial work undertaken by the management team in 2025 comprised 9 wind farm applications, four flood infrastructure projects, grid infrastructure projects, 2 flood prevention projects, 2 hydro projects, 4 mining area projects and 1 water treatment project. FD had been involved in contributing to 4 forest management plans, 12 renewable planning consultations and in respect of FMS's code of good governance consultations.
7. Habitat schemes presently being undertaken and those in the course of development.
8. Education and outreach work undertaken.
9. Predation and invasive species work undertaken.
10. The income generated by the management team for Board and Trust in 2025, which amounted to £681,000.

After the presentation concluded, the Chairman asked for any further questions. There were none.

6. PROPOSED WORK FOR 2026

FD circulated a paper showing projects, ongoing and to be undertaken, for which funding is available. BEL and Spen are both involved. £30,000 of private funding is available for work on Polskeoch. FD stated that he would like to spend some of the Board's funds on some smaller projects such as the Laggan burn. Anna Ferguson raised the matter of Mennock and Community funding. A draft plan has been produced, which she has seen and shared with FD. Peter Landale asked if the barrier was out of the Laggan burn. FD replied that the passage has been opened up and that the management team await suitable conditions to carry out survey for presence of fish above the former barrier.

Peter Landale asked what FD would ideally like to want for management purposes. FD replied that he would like fish counters located in the catchment. Peter Landale asked what FD would like to see improved in the river system. FD replied that he considered that habitat enhancement work was most important. Peter Landale stated that he agreed. Peatland restoration and controlling or slowing down water flow in the catchment is very important, with which FD agreed, stating that habitat work such as planting of water course banks slows up water flow. The planting work and the closing of drains is very important.

FD repeated his request for funding for small areas of habitat restoration work. David Kempself asked how much money is small. FD stated that £100,000 would be required to fill in gaps within existing habitat enhancement projects. Discussion then ensued as to the cost of habitat enhancement work and its hoped for value in respect of restoring habitat and dealing with changing weather patterns.

Mike Keggans asked where matters stood in respect of a fish counter and how does the Board see the sporting future of the river. The Chairman advised of the investigations undertaken by the management team of the current use of fish counters, causing the management team to back away from taking the subject further pending improvement of the technology being used with fish counters. Discussion ensued regarding the future for the river system and what steps could be taken to improve its condition.

7. BUDGET

The Chairman asked the Clerk to speak to the draft Budget previously circulated with the Clerk's notes on draft budget and draft accounts. The Clerk referred to his circulated Notes on the draft Budget, The Clerk stated that given the terms of the draft budget and the sums held by the

Board at bank, the Board may be minded to follow the same approach taken for year 2025 and settle upon a total net Assessment payable by proprietors of £33,250. The Clerk referred to his note on revaluation of salmon fishings being carried out by the Assessor at the end of the Clerk's Notes on Budget and spoke about the possible effect of revaluation of salmon fisheries on individual assessments as explained in his note, asking that his notes suggestion be adopted by the Board so that the Board funds its activities meantime from Board funds and then fix the rate in the £ at the Board's April Board meeting using the new valuation roll for salmon fishery values, with the resulting assessment to be raised covering the period from the issue of the new valuation roll to the end of the Board's financial year.

The Chairman excused FD and FB and the matter of the draft Budget, future wages and bonus was discussed by Board members. The Chairman advised that given the Trust's trading position, it had been agreed at the Trust meeting held on the evening of 28 April 2026 that the bonus to be paid to FD would be settled from Trust funds, thus relieving the Board of the responsibility of paying for it. The Chairman proposed a total bonus based upon a figure of £25,000, inclusive of FB's bonus, but subject to the Trust paying bonus to FB. The Chairman stated that he thought that a 4% increase in wages for Board staff was reasonable, but that assistant Morag Maguire's salary should be increase for 2026 by 7%, as she was valued by FD and FB for the work that she did for the management team. Mike Keggans stated that the Finance Sub-Committee had raised the issue of the calculation of bonus for year 2025, to be established by some recognised formula, that the matter had been considered at the January 2025 Board meeting and that for him it remained outstanding for decision. Peter Landale expressed support for the position stated by Mike Keggans in general terms. The Chairman stated that he took the view that the matter of the payment of bonus and how it was calculated should be discretionary and that he was opposed to the idea of calculating it by reference to an established performance related formula. Tom Florey stated he agreed with the principle of fixing bonus by discretionary means. The matter was discussed further at length. The Chairman asked for approval of his proposal on the bonus and the use of discretion in its calculation. The Clerk asked for clarification and confirmation of the Board's position on the draft Budget for the purposes of recording it in the Minutes, raising with Board members what he understood to be their agreed position on specific items of the draft Budget. The Clerk having done so, in summary, the Board agreed:-

- to adopt the draft budget for 2026,
- to an increase in staff wages of 4%, subject to the pay of assistant biologist Morag Maguire being increased for year 2026 by 7%,
- upon bonus payable to Board staff based upon a figure of £15,000, with the matter of FD's bonus being dealt with separately by the Trust.
- upon a net total assessment of £33,250 payable by proprietors for 2026.
- that the calculation of the rate in the pound giving rise to the total Gross Budget being postponed to the April 2026 Board meeting, by which time the new valuation roll should have been issued by the Assessor.

Mike Keggans advised that he stood by his position on bonus as he had previously expressed it at the January 2025 Board meeting and spoken to by him during this meeting.

8. CODE OF GOVERNANCE FOR DSFBS AND THEIR MEMBERS

As previously recorded, the finalised Code of Good Governance has been issued by FMS. Mike Keggans suggested that FMS should be asked to centralise the procedure and content of the induction course for new Board members.

FD was asked about the catch statistic returns for 2025. He reported that there had been a total return of salmon and grilse of 532, which was slightly down on the 2024 season. Seatrout totalled 493 in number for the season, which was slightly up on the 2024 season.

9. OPENING EVENT

FD advised that James Hunter-Paterson was happy to support the opening day ceremony on Barjarg water.

10. NITH CATCHMENT FISHERY TRUST UPDATE

The Chairman provided an update on the Trust's meeting held the previous evening. The pollution incident on Scaur water, Fishing for the Future and ongoing and future habitat restoration schemes had been discussed. The Trust's finances were in good health.

11. AOCB

Peter Landale raised the matter of funding for the employment of a Development Officer for the catchment. FD confirmed that the application for funding had been made and that the decision outcome was expected in February 2026. Peter Landale asked if thought could be given to how the Board should engage with the Biosphere project, with or without funding for a Development Officer. Mike Keggans asked if the Biosphere Project could be the subject of a separate agenda item for the next Board meeting.

The Chairman asked if there were any further matters to be raised or discussed. He stated that the dates of future Board meetings would be intimated soon. There being no other items raised for discussion, the meeting closed.