TAY DISTRICT SALMON FISHERIES BOARD

MINUTES FROM MEETING

9:30am Tuesday, 25th October 2022

Present:	Toby Metcalfe (TPM – Convener), Claire Mercer Nairne (CMN), Jerry Saunders (JS), Nicola Thompson (NT), Bobby White (BW), Calum Innes (CI), John Nevin (JN), Mike Smith (MS)
In Attendance:	Dr. David Summers (DS) Fisheries Director, Inga MacGillivray (IMacG) Clerk to the Board, Nicki McIntyre (NMcI) NatureScot representative 1 member of the public attended the physical meeting.

1. **Apologies**

   Apologies were received from David Godfrey (DG), Andrew Parrott (AP), Jonathon Muir (JM), Anne Woodcock (AW) and David Sands (DSa)

   Before the meeting commenced, JS extended a warm welcome to the convener on his return to the Board, a sentiment which was echoed from the floor.

2. **Declaration of Interests Update**

   There were no new declarations.

3. **Minutes of Meeting held 9th August 2022**

   The Minutes had been circulated prior to the meeting and were taken as read. All agreed they showed a true and fair reflection of the meeting, and the Convener signed a copy of said Minutes.

4. **Report on Matters Arising from Meeting held 9th August 2022**

   The report had been circulated previously and was taken as read.

   SEPA Representative:

   IMacG explained that Calum McGregor's replacement had been appointed but she was not sure if they had taken up position yet. The Convener added that he had drafted a letter to be sent to the new appointee, welcoming them to post and encouraging them to participate with the Board at senior level.

   JS asked if SEPA attended Spey Board meetings. The Convener confirmed they attended most meetings. He added that he was delighted that NMcI attended Tay meetings on behalf of NatureScot. He remarked that he thought it essential SEPA attend going forward, given the agency's role in the Scottish Government Salmon Strategy.

Insurance:

IMacG explained that she would approach Marsh about the renewal, whilst MS was arranging a quote from NFU Mutual. She added that a third quote should probably be sought for comparison. The Convener suggested Lycetts and R G Harrison.

ACTION: IMacG to contact Lycetts and R G Harrison for insurance quotes.

TRT Ballentine Dinner:

On behalf of the TRT, IMacG thanked all Board members who had helped make the night a huge success, including CMN, DG, DSa, JN & MS.

5. Financial Report

The Financial papers had been circulated previously and were taken as read. IMacG presented the financial situation which showed a bank balance of £363,730 to 18th October 2022 with a net cash increase of £62,230. She explained the assessment invoices had been sent out in July and had been paid more promptly than in prior years, due to increased reminders and prospect of interest charges.

Capital Expenditure Authorisation:

She asked that the Board consider a capital expenditure of £12,500 on a second-hand pick-up truck as the Isuzu had been scrapped recently. She had sent a paper out on the subject which was taken as read. The paper included an offer from a fishing beat for the Board to buy their used ghillie's vehicle. She thanked Board members NT and MS who had also offered up their own vehicles. IMacG felt that the nature of the Board's work necessitated their using their own vehicles.

NT commented that there was a requirement for two vehicles with one of these new vehicles on order and due to arrive in December. With the current difficulty in sourcing new vehicles, the Board required a reasonably priced vehicle now to enable staff to fulfil their current work obligations.

(member of public entered the meeting)

The Convener agreed the Board required their own vehicles. If the Ford Ranger option was to be followed up it was agreed this must be subject to an AA check.

CI suggested ordering new vehicles well in advance. The Convener confirmed that this will form part of the 2023 budget process and also agreeing a policy on vehicle renewals and disposals.

MS suggested having the vehicles branded. DS suggested this may not always be positive, citing the case of the torched Jimny. NT suggested magnetic branding which could be removed when not required. Agreed IMacG to arrange suitable branding for new vehicles.

ACTION: IMacG to arrange suitable branding for new vehicles

ALL agreed to the £12,500 capital spend for a second-hand pick-up, if not the quoted Ford Ranger, then another similar priced vehicle.

IMacG stated the expenditure would be offset due to the replacement Fisheries Officer not starting until 2023.

ACTION: IMacG to arrange check on Ford Ranger, and if not suitable to find an alternative vehicle with help from Fisheries Officers Team.

Audit:

IMacG intimated the accounts were ready to be audited. After some discussion, the Board agreed to the audit quote of £4,000 plus VAT.

ACTION: IMacG to have the accounts audited by Milne Craig

Fishpal:

MS asked why the Board still paid over £6,000 to Fishpal per annum. DS replied that when the Fishpal deal was brokered, the then Board agreed to pay for all proprietors to have a page on Fishpal should they wish. He thought now would be an opportune time to renegotiate the deal since Fishpal had been taken over by Speedybooker.
CMN suggested asking the proprietors for their view on the matter.

(JN entered the meeting)

There was a short discussion surrounding the topic. The Convener suggested asking the proprietors' opinions but firstly asking Fishpal to meet with the Board and set out their case. All agreed this would be a sensible way froward.

JS asked if the catch data on Fishpal was useful, to which DS replied it was.
MS interjected that most beats on the Spey did not enter their catches. CMN argued that the Tay was a different model as was more accessible geographically and therefore anglers did use Fishpal to chase the best fishing beats.

MS stated that the £100 payment to Fishpal was "buttons". DS reminded the Board that Fishpal had been of inestimable benefit to the river and to fishing.
MS suggested not asking the proprietors for their input, and CMN disagreed, stating the Board should ask them. The majority decided the following action:

ACTION: IMacG to invite Fishpal to next Board meeting to present their case. Board to then put recommendations to proprietors for their feedback.

The Convener pointed out that there was no mention of income from fish rescues in the figures and the forecast should be adjusted for the Garry project expenditure. He also raised the issue that he thought the Garry Project was running ahead of income. IMacG stated that the project was running behind income, as the 2019 samples had only just been processed.

ACTION: IMacG to update financials for fish rescue figures and Garry Project expenditure.

Regarding recharge of IMacG and DS time to TRT, the Convener asked where the HR consultant was with staff contracts.
NT replied that with the exception of DS contract, all contracts were now completed at draft stage and required input from herself, the Convener, DS and IMacG to move forward.

ACTION: IMacG to arrange Zoom meeting between HR Consultant, The Convener, NT, DS and IMacG to discuss staff contracts and policies.

JS reminded the Board that the HR Consultant had also been tasked with providing some workload analysis on both DS and IMacG to identify any areas of concern.

6. **Management Plan - Director Report**.
DS experienced technical difficulties and whilst he was fixing these, the following was discussed:

Remuneration Committee:
The Convener suggested it would be an opportune time for the committee to meet in order to make recommendations to the Board on staff salaries to facililate next year's budgeting process which will be starting soon. He asked MS and IMacG to forward this action.

ACTION: MS & IMacG to liaise on remuneration committee matters.

DS explained he had sent the papers out the day before. He then proceeded to go through their content:
Lochay:
DS explained that he and JN had met with SEPA and there had been some limited progress. SEPA were reviewing the Lochay and had been on site over the summer and were keen to meet with SSE in due course. The Convener asked if the Board would be represented at the meeting. DS replied he hoped that would be the case.
The Convener asked JN for his view of the situation. JN replied he was new to the issue and had nothing to add. The Convener asked JN to continue working with DS on the project and to keep pressure on SEPA to deliver.
He also stated that it was essential to have the Lochay feature in the Scottish Government's Wild Salmon Implementation Plan.

ACTION: DS to raise Lochay issue with Alan Wells of FMS in first instance to keep the pressure up for the inclusion of this project to the Scottish Government's Wild Salmon Implementation Plan.

CMN asked if the Board were planning to invite Antje Branding to the Tay. DS had suggested to Dr. Branding that she visit when fish were being stripped in the hatchery.

ACTION: DS to invite Antje Branding to the hatchery.

The Convener stressed how important it was that SEPA are correctly funded to deliver the Wild Salmon Strategy. JS raised his concerns regarding the timing of the strategy, as it was due to be published in January 2023. In response to JS the Convener confirmed that the Ericht should most certainly be included in the Implementation Plan. JS asked DS if he knew who was on the consultation committee. DS replied that Alan Wells was on the committee, but he didn't think the group had held many meetings.

Fillan Embankment:
DS stated he was awaiting SEPA's response to a draft CAR licence before seeking funding for the project. He explained that ecological surveys would be required and wild birds nesting could have an

impact. There were no mature trees on the site and he planned to ask staff to clear scrub growth from the site prior to work commencing.
The Convener asked if planning permission had been applied for. DS replied he was unsure if this was required. The Convener asked that a project plan be drawn up which would outline the various stages of the project and the necessary actions required.

ACTION: DS to check whether Fillan Embankment project required planning permission.
ACTION: DS to set out Fillan Embankment project plan and circulate to Board members.

Lunan:
DS explained that the Convener had tried and unfortunately failed to get the backing from Forestry Scotland for the Lunan project. The challenge is that FCS are following the general consensus in Scotland that trees should be planted everywhere with an expectation that they will in every situation improve salmon habitat. FCS are happy to go along with this. This project potentially provides evidence that contradicts this notion in respect of water courses in lower lying arable areas. DS has prepared a draft paper for SG consideration stating he would like to see Government groups examining this issue.

Fisheries Officers:
DS stated that an advertisement for the role of a replacement Fisheries Officer had been circulated in the summer. This had attracted a dozen applicants and the plan was to interview four applicants as soon as practicable.
MS suggested using the Perth & Kinross Council grant for young people which would amount to approximately £4k.

Honorary Bailiffs:
JN stated he had met with the Operations Manager regarding using "honorary bailiffs" to carry out some of the work on the catchment. JN added that there was a large beat which had its own security team and he thought they could self-manage their beat, thus freeing more of the Fisheries Officers' resources.
DS asked for clarification, as he had been informed the main issues were with trout anglers and not salmon anglers. He suggested if this was the case, that it would be more beneficial for the security team to be trained as Freshwater Fisheries Wardens.
NT stated she would support taking on such people only if they were properly trained, the insurance allowed it, and they were a resource to be called out if the TDSFB staff required a second pair of eyes. She stressed that nothing should be done without the presence of a member of TDSFB staff being present.
The Convener agreed with NT, stating he was keen for this to go ahead but stressing the need for it to be executed in the correct manner.
IMacG stated that enhanced disclosure would be a requirement.

ACTION: DS/Operations Manager to draw up operating procedure for honorary bailiffs.

DS stated the applicants would require trout warden training.

Beaver Issues:
The Convener stated he was concerned about the rising costs of TDSFB staff managing beaver damage throughout the catchment. He was keen to understand the time taken by Fisheries Officers on

beaver issues. He asked if NMcI could make enquiries regarding funding streams for grants to offset beaver management costs.
NMcI suggested the Board contact Kirsten Brewster and was happy to give an introduction.

ACTION: NMcI to investigate funding to mitigate beaver costs and feed back to board.

11. **TRT Update**

CI updated the group on the latest TRT news, stating that the Ballantine Dinner had been a huge success, raising over £18k in the process. There was a silent auction due to start the following month.
The TRT had received a £12k donation for their Salmon in the Classroom project
The tender for the road repair contract had been circulated, with tenders due back in by 11th November 2022. These looked as if they would come in on budget.
The TRT were looking to appoint a full time development officer.
CI had prepared a Heads of Terms for the TDSFB lease reflecting the discussions that had taken place earlier on this subject. He will forward these on to the Convener.

ACTION: CI to forward lease Heads of Terms to the Convener

JS asked Board members to contribute more lots to the auction if they could possibly do so.
The Convener asked how hatchery access would be impacted during the road repairs. CI replied that this would be managed as undoubtedly there would be some disruption to access during this time.
MS asked if the timing would meet Scottish Government deadline. CI stated he couldn't see why it wouldn't.
The Convener expressed his delight that TRT are really flying at present.

7. **Operations Manager Report**

The Operations Manager report had been sent out prior to the meeting and was taken as read.

Proprietor Issue:

MS stated that a proprietor was intending to complain about Fisheries Officers on his land without his permission. This was noted.

Stormontfield and Stanley Hydros:

The Convener noted that last year the Board had been able to bring about a better management of these installations and asked if the Fisheries officers would be repeating this process again? DS replied they were and that he had met with SEPA on this issue. BW stated the Stanley intake appeared to be blocked.

ACTION: DS to circulate update on Stormontfield and Stanley hydros

Juvenile Surveys:

The Convener asked when the results of the juvenile surveys would be available. DS replied that the Operations Manager was extremely busy for the next few weeks but anticipated the results being published in December at some point.

Broodstock Fishing:

BW asked if the team required help with broodstock fishing. DS replied they would welcome any extra help.

Communications:
JS suggested producing a poster which could be displayed in ghillies huts and offices, showing juvenile densities across the catchment. This could be superimposed with the areas where TDSFB stocking occurs to give a picture of the work the hatchery does.
ALL agreed this was a good idea.

ACTION: DS to provide juvenile survey and stocking raw data
ACTION: JS, AW and DS to liaise on poster.

Gateside Mill:
The Convener asked that the completion of the removal of Gateside Mill weir be put on the website. DS explained this was a SEPA project which had been facilitated by Board staff. The Convener asked that thanks be extended to SEPA and the Operations Manager and his team.

Bird Count:
BW asked if 1st December was a suitable day for the next count. DS agreed it was. BW explained the count was being undertaken by more and more beats and this was fantastic news. The Convener thanked BW for all his help, noting that the board licence now runs from May of next year without a break.

8. Hatchery Report
The Hatchery Report had been sent out prior to the meeting and was taken as read.
JS asked about the number of fish in the hatchery. DS replied that capacity is influenced primarily by weather conditions at broodstock catching time. The other main factor is Marine Scotland's stocking policy as they do not allow for enhancement stocking.
In response to the Convener, DS advised that the target number of eggs from the hatchery was a million.
JS expressed his view that the production should be pushed to its optimum. DS replied that unfortunately there are significant restraints. Prior to COVID the hatchery produced over one million eggs but this had been decreased over the years due to Government licencing constraints.
BW expressed his frustration that Marine Scotland had not completed their consultation regarding stocking.
JS noted that a fundraising opportunity for the hatchery had arisen, as people now wanted to sponsor tanks and eggs.

The Convener asked how fin clipped fish data was captured. DS replied that the TDSFB staff fin clipped and sent samples to UHI to be analysed. The reporting back process is considerably far behind target with UHI having only just completed 2019 sampling.
JS asked if ghillies reported fin clipped adults. Noted that this did happen occasionally but DS will at the start of the season remind people to report any fin clipped fish that are caught.

ACTION: DS to prepare a reminder to report fin clipped adults for the start of the season.

9. Health & Safety Report

DS advised there had been no reportable incidents since the last meeting. He stated that Green's of Haddington had carried out a Health and Safety Audit and had issued an updated booklet.

ACTION: DS to send H&S manual to the Convener
ACTION: The Convener to check H&S manual
ACTION: Once finalised, DS to distribute manual to all Board and staff members.

11. TRT/TDSFB MoU & Lease Update

The MoU document had been previously circulated. The Convener stated that the legal headings and staff charges would require amending and urged ALL to give any feedback on the MoU document in the next day or two before it is signed off. The lease was covered under item 10 on the agenda – TRT Update.

ACTION: ALL to read through MoU document and flag any issues to IMacG for collation.

12. Marketing Update

The Convener praised the work of AW.

ACTION: IMacG to pass on to AW the Board's appreciation of her efforts.

The Marketing report had been previously circulated and was taken as read. IMacG presented the highlights of the report. She then presented the findings of the 3 year plan consultation and the satisfaction survey.

The river management plan consultation had received 38 responses, with just under 60% of respondents being in agreement with the plan. Over half respondents were proprietors, a third were anglers and the remainder were ghillies. The main areas of concern in order were predation, abstraction, stocking and hatchery, fish passage and beavers.

The satisfaction survey had prompted 33 responses, with over half being proprietors, 27% anglers and the remainder ghillies and others.
Most (84%) indicated they had read the consultation plan. They listed the following in order of importance: predation, hatchery, habitat improvement, beavers and abstraction.

Most were happy with what the Board had achieved with the majority being satisfied with the Board's achievements. There were however, 16 respondents who were mildly to extremely dissatisfied with the work of the Board.

NT stated she thought this was good news as few responses meant people were generally happy with the way the Board was going. MS disagreed with this sentiment.

DS pointed out that many people thought the Board could fix abstraction issues. In reality the Board has no control over abstraction and can merely lobby.

JS stated that there was a similar problem with predation – ie the Board is not in control of predation issues. He saw this as an opportunity to communicate and educate. DS noted that a survey of sawbill stomach contents on the Tweed had concluded that only 15% of goosander diet was salmon.

The Convener set out clearly the Board responsibility to engage with Scottish Government, Marine Scotland, SEPA and NatureScot noting that the Board shared the many frustrations being expressed by proprietors and anglers. He noted that NatureScot facilitated their discussions through their regular attendance at Board meetings which was welcomed. It is to be hoped that SEPA will engage in a similar fashion.

CI stated it was about raising awareness and profile and that the two organisations were getting better at this.

MS stated that the Spey Board take SEPA to task over any incidents, citing the sewage issue at Craigellachie as an example. DS said he was aware some boards appeared to have isssues with SEPA while we did not. His preferred SEPA management style was to work constructively with their employees. He had found this to be more effective. The Convener expressed his feeling that it was important to keep up engagement with SEPA and reiterated the importance of having a SEPA representative on the Board.

13. AOB

Website:

The Convener referred to the marketing report and the observation that the website experienced issues when accessed by mobile phone. IMacG replied that AW was aware of the issue and was working with the web designers to correct the fault.

Zoom Access to meetings:

MS stated it had been brought to his attention that there was no Zoom facility for the Board meeting. IMacG replied she had not had time to set up and that nobody had contacted her regarding the issue.

Regarding the AGM on 13th December, she stated she did not have the time nor the technical ability to facilitate a hybrid meeting, as she had several other statutory duties to perform for the AGM which took precedence.

MS said he would look into getting a member of his staff to set up Zoom facility for AGM.

Ericht Focus Group:

JS updated the attendees, stating the group had contacted 4 cabinet secretaries. Marie Gougon had replied on behalf of her colleagues. Unfortunately, the letter had not answered local issues and had offered no guidance on who to approach to forward the issue. The group were going to acknowledge the letter.

JS in the meantime had contacted SEPA who had been very helpful.

JS explained that the group were moving to the next stage, which was to engage the Deputy First Minister. The group would meet within the next fortnight to discuss the next stage. JS added that it

was not just the fishing community that were concerned by the issue, but locals were really concerned about the abstraction and infrastructure.
DS stressed the need for the group to engage with John Swinney and suggested they try to hold a meeting with him. JS undertook to keep ALL posted on any developments.

Staff Commendation:
JS thanked the staff for their hard work. He stated that the Dee and Spey had four times the staffing levels; that the Dee charged 84% of Rateable Value; the Spey around 60% and the Tay 46%. In addition, he stated the Tay covered twice the catchment area and had around double the number of proprietors than the Dee or Spey. This he saw as an enormous challenge to the Tay staff, and he thanked them for their hard work.
The Convener pointed out he thought the Spey charged around 72% of RV. CMN stated the RV figures differed on the Tay.

Buchanty Spout:
JS asked what progress had been made on Buchanty Spout. JN replied there had been no progress as he was awaiting a volunteer policy from the Board in order to continue. MS added this applied to Luncarty weir also. The Convener pointed out that the only issue on Buchanty Spout was to obtain landowner permission to carry out works.

ACTION: JN/MS to meet with landowner at Buchanty Spout and try to obtain permission for works.

JN stated the Shochie Weir issue was still current. DS replied he had raised the health and safety issue with Perth & Kinross Council but they were not interested. The Convener pointed out that the Council had swiftly carried out works at the Ericht so it would be worth another try.

ACTION: DS to liaise with Perth & Kinross Council regarding Shochie Weir.

The Chairman thanked everyone for attending and the Open section of the meeting came to a close.

The following items were discussed in private by the Board due to the fact they are of a commercially sensitive nature.

14. Stage 3 Complaint
15. Internal Complaint
16. Minutes from Closed Meeting held 9th August 2022
17. Financial Report – Debtors Update
18. AOB

End of Open Meeting Minutes

The next meeting will be held on Tuesday, 13th December 2022 at 9:30am at Birnam Arts Centre – AGM to follow in main hall at 11am