# TAY DISTRICT SALMON FISHERIES BOARD

## MINUTES FROM MEETING

## 7pm Tuesday, 8th August 2023

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| ***Present:*** | Toby Metcalfe (TPM, Convener), David Godfrey (DG), Calum Innes (CI), Claire Mercer Nairne (CMN), Jerry Saunders (JS), Andrew Parrott (AP), John Nevin (JN), David Sands (Dsa), Bobby White (BW), Mike Smith (MS) |
| ***In Attendance:*** | Dr. David Summers (DS) Fisheries Director, Inga MacGillivray (IMacG) Clerk to the Board<br>One member of the public attended the meeting . |

1. **Apologies**
   Apologies were received from Jonathon Muir (JM), Nicola Thompson (NT) and Nicki MacIntyre (NMcI) Nature Scot representative.

2. **Declaration of Interests Update**
   There were no new declarations of interest.

   **ACTION: IMacG to send declaration guidelines to all as a reminder.**

3. **Minutes from meeting held 6th June 2023**
   The Minutes had been circulated prior to the meeting and were taken as read. All agreed the Minutes showed a true and fair reflection of the meeting and the Convener signed the Minutes.
   MS pointed out that it had been noticed that Minutes were not published on the website for the year.

   **ACTION: DS/IMacG to ensure Minutes are up to date on the website.**

4. **Report on Matters Arising from Meeting held 6th June 2023**
   The report had been circulated prior to the meeting. IMacG narrated the report and the following points were raised:

   ***Ericht works update:***
   JS provided an update on the Ericht dump. AP noted that legal action had been taken against Perth & Kinross Council by the owner of the land opposite the dump but that this had not been successful.

   ***TGA Hatchery Visit:***
   A date had still to be set. MS stated that ideally the TGA would like to meet at 7pm midweek or on a Sunday. The Convener had suggested Monday, 18th September but would revert with his availability for Wednesday, 20th September.

**ACTION: The Convener to inform MS/DS if he would be free Wednesday 20th September 7pm.**

***Staffing Report Update:***

The Convener noted that correspondence had been received regarding under policing of the river which would be picked up in DS' report.

**5. Financial Report – including vehicle discussion**

The current financial cash account position papers plus an additional vehicle analysis paper had been circulated previously and were taken as read.

IMacG explained the assessment invoices were largely sent but a few were still to be sent out. The delay was largely due to lack of resources and lack of knowledge of SAGE system. Various suggestions were discussed, and it was thought the current issues could be alleviated by the new administration assistant role.

MS noted he had received a number of comments and queries on the budget and finances from Islamouth, Ballathie and Stobhall beats. In particular, he said these beats had an issue with the budget being labelled a proprietor budget as the beat owners had no prior knowledge of the budget content. The Convener explained that the budget had been agreed by elected representatives of proprietors – ie the board, and therefore did not require to be pre-agreed by all proprietors. IMacG added that the word "proprietor" was included in the file, but she could change the wording if required.
MS then stated that there were queries surrounding the telephone costs in the budget. IMacG offered to answer all the queries but MS said there were rather a lot of them, and he didn't want to take up valuable board time.

**ACTION: MS to send IMacG the financial queries from Islamouth, Ballathie and Stobhall.**

There was a short discussion on the use of the boat with the following action agreed:

**ACTION: DS to investigate cost of boat being put back in regular service and circulate to all Board members.**

IMacG ran through the vehicle purchase proposal paper and the Board unanimously agreed to purchase the Suzuki Jimny.

**ACTION: IMacG to arrange purchase of new Jimny.**

The paper had recommended a vehicle purchase policy be drawn up but after some discussion this was thought to be a job for the new board to be elected in December.

**6. Management Plan – Director Report**

The report had been circulated previously.

***Seal Licence:***

The seal licence application had been rejected. There had not yet been an opportunity to discuss this with Fisheries Management Scotland but it was known that the Spey, Tweed and Dee had all been denied seal licences.

***Lochay:***

DS updated that he and the Convener had met with SEPA employees Brian Roxburgh and Kjersti Birkeland. The meeting focussed on the reintroduction of water into the Lochay. Unfortunately, the issue was not advancing as quickly as the board would wish but SEPA had done some work on the project. The Lochy is classified as being of Moderate status and SEPA are prioritising river with the status of Poor. Helpfully, however SEPA had advised that the Lochy despite this is being included in the current round of reviews.

The Convener reminded board members that SEPA had under the Wild Salmon Strategy until 2027 to progress projects of this type. The Convener was not confident that SEPA would achieve the targets set out in the Wild Salmon Strategy and the Implementation Plan, noting that in the last three year plan only 16 river passage issues were resolved. The strategy suggests they are going to "progress" over 240 projects which seems highly unlikely. The priority for the board is therefore to keep pressure on SEPA to ensure that the Lochy project is delivered.

DS noted that SEPA had modelled rewatering on some upper tributaries of the Lochay, but had stressed the importance of rewatering all tributaries, including the Duncroisk Burn, a lower tributary. DS would like to renew the Low Flows software licence and interrogate the data himself to ascertain the level of impact from these areas. This was agreed.

CI suggested hiring a hydrologist for the work, but DS explained he could do the work himself for less cost and quicker.

The Convener commented that Scottish Government were incurring more pressure to see SEPA deliver its objectives. JS suggested increasing pressure on SEPA by using a public campaign. MS suggested a campaign rather like "save the Spey" and suggested attending an SSE AGM. DS stated he had done this regarding the Garry and agreed with the Convener that the conditions had to be right for such a campaign to work.

**ACTION: DS to renew Low Flow Licence and undertake review asap so that this can be used in further discussions with SEPA. Possibility of a "Save the Lochy" campaign to be reviewed again after the next meeting with SEPA.**

***Crayfish:***

DS explained that using eDNA to understand the limits of signal crayfish distribution in the Ericht catchment is a TRT initiative and he was awaiting details from the University of Highlands & Islands (UHI).

***Fillan Embankment:***

DS noted that some progress had been made with a flood risk analysis having been carried out. This had been slightly hampered by access limits on where the survey drone could fly. It was hoped this area would be surveyed by conventional surveying techniques before the report was finally completed.

JS asked if there was any funding available to the TRT from the Nature Restoration Fund. DS replied that the vegetation removal had been halted for now, but an application could certainly be made once the survey report is completed

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***Temperature Logging:***

As a first phase in developing a temperature shading project in upper Shee tributaries, with landowner agreement, 20 temperature loggers had been deployed in the Glenshee area. Others had been purchased with money outstanding from SSE and had also been deployed in the River Garry.

***Blairgowrie:***

JS explained that constituents had attended a meeting with John Swinney, Marie Gougon and Antje Branding roughly 8 weeks previously regarding the issues on the Ericht. They had not heard anything further from John Swinney's office. JS had received a letter from SEPA stating the issues were covered under the river basin management plan. JS had circulated this letter to his other sub-committee members and was awaiting feedback before sending a reply.

JS added he was exploring additional sources of funding. He is in talks with a Crown Estate Scotland tenant to see if they could sponsor an application to CES under their Environmental Grant scheme. He was also in contact with BAM Nuttall. MS asked how much capital was required. JS replied £20k for initial consultancy fees. MS remarked that this amount had been spent by the board previously on consultancy for the road and that nothing had happened. DS replied that MS statement was incorrect and in fact the consultants had indeed provided a design for the road, but it was unusable as an adjoining landowner then refused permission to go across their land.

JN suggested a temporary solution in the meantime. JS explained this was already in place but fortunately had not been required so far this year. This involved the Fisheries Officer team setting up a deflector net to move smolts away from the lade in times of low water. DS pointed out that the issue constantly required evidence and deflector nets would hinder evidence being gathered to strengthen the case.

***Staffing:***

The Convener explained an email had been received from Katrina Wood of Atholl Sporting expressing her displeasure that the fisheries officer team had been unable to attend a recent alleged poaching incident. The Convener had sought an explanation from DS and had then replied promptly to Mrs. Wood in writing. He had also attempted to call Mrs. Wood as a follow up to his response.

JN stated he had seen another incident below the dam at Pitlochry on Facebook. DS replied that the Fisheries Officer team had not been informed of this incident, noting it was difficult for the Fishery Officers to attend if the issue is not reported.

DS explained the reason the fisheries officers were unable to attend was because firstly they were a man down as one was on sick leave. The fisheries officer on duty had already completed his weekend shift and was therefore unable to attend. JN stated the issue was deeper as there were simply not enough staff. JN and DS are progressing with the training of some volunteer bailiffs.

The Convener pointed out that if proprietors want Fishery Officers to concentrate all of their time on policing the river this would result in some important sources of funding to the board being lost as the Fishery Officers undertake this work. The budget sets this out clearly. Proprietors seem keen to keep costs down. People have to be realistic about what they want. He noted however that the board had already committed to the appointment of another Fishery Officer which was fully budgeted and accounted for in the current assessment level.

CMN and DG praised the efforts of the fisheries officers and noted that good news stories were not highlighted. JN suggested calling the wildlife crime police officer. DS stated this had been advised

to Mrs. Wood and that sometimes there was an issue with their response. MS suggested voluntary bailiffs were the answer and suggested a public rota of bailiffs on duty should be sought.

It was agreed that another attempt should be made to set up a meeting with the local police inspector.

**ACTION: DS to arrange for himself, the Operations Manager and the Convcner to meet the Local Police Inspector.**

7. **Operations Manager Report**
The report had been circulated prior to the meeting and was taken as read.
DS explained a current poaching case was impending and not for dissemination as it was a live case.

8. **Hatchery Report**
The Hatchery Report had been sent out prior to the meeting and was taken as read.
JS asked why fry were being stocked on the Fillan and Eden and not the Earn/Tay. DS replied that Marine Scotland had issues with stocking the SAC area of the Tay rivers and it was therefore difficult to obtain a licence for stocking on the Tay. He explained on the Eden there were issues with stocking due to silt issues depleting survival rates, and that fry might be the only realistic option. He added that fry stocked on the Eden had their fins clipped so as to identify them as hatchery fish.

BW asked how many fish were likely to be licensed to capture for the year. DS replied this very much depended on rod catches which were of course declining in many areas. He added that Scottish Government had committed to reviewing their stocking policy by the end of 2023. Given that the Science Advisory Group were only now meeting to start discussions at the end of August, he did not envisage the review being completed in time for this year's broodstock application.

9. **Fishpal Contract**
CMN and MS had been tasked with negotiating a new contract with Fishpal. CMN explained they had held a Zoom meeting with Sam Carlisle of Fishpal. There was some discomfort surrounding the exclusivity clause in the proposed new contract, as well as the price. She and MS had negotiated a reduction in fees down to £4,500.

CMN expressed her concern regarding the marketing element of Fishpal since Anne Woodcock had left as she felt the service provided was not as good as it had been.

CMN asked who used the Fishpal data and how often. DS replied he used the catch figures, and it would take more of his time to extract these figures elsewhere if this source were no longer available.

MS added that he and CMN were not happy to have to pay anything to Fishpal and suggested utilising the monies to pay someone for a marketing role.

DS explained the history of Fishpal and the board's involvement over the years, adding that the board could claim half the commission on bookings if Fishpal was embedded in the board's website. He had spoken to Castabroad and they had embedded the Fishpal portal onto a Tay beat website with no issues. CMN raised issues around double booking and refunds if this were to be done but DS advised the portal went straight to the Fishpal website so there would be no double bookings through Fishpal and refunds would continue as they had previously.

The Convener thanked MS and CMN for their input and asked all board members for their views.

CI stated he had been comfortable with the last deal as it gave beats the opportunity to market themselves and he was comfortable with the negotiation on price. JN saw no problem with the payment but was uncomfortable with the exclusivity clause. DG and BW were happy with the agreement including the exclusivity clause. MS stated he had sent a message to all board members but had not had any feedback.

There followed further discussion on the subject with the following action agreed:

**ACTION: CMN & MS to go back to Fishpal with a view to presenting the board with a new simplified proposed contract and negotiate further on the fee.**

10. **Saprolegnia PhD Funding**

The Convener stated a proposal had been circulated to all board members from FMS for a funding contribution for a three year study into this disease to establish if this is a new and more virulent strain of disease but there had not been a decision made as yet. There followed a short discussion on the merits of part funding the PhD project. DS was particularly interested in the project covering the relevance of obstructions and the disease as this had particular relevance on the Tay. He had been assured by Alan Wells of FMS that this would be covered.

It was agreed by the board to fund the project to the tune of £3k per annum for 3 years.

**ACTION: DS/IMacG to inform Alan Wells of FMS of the boards decision to fund the Saprolegnia PhD student to the tune of £3k per annum.**

11. **Dee Hatchery Proposal**

The Convener explained he and DS had discussed a request from the Dee board to recondition some Dee salmon on a contract basis. DS added that the Dee would be constrained by Marine Scotland's stocking policy in the same way as the Tay. The Convener suggested that this was not a project that the Tay should get involved in. If the Scottish Government/Marine Scotland's view of their stocking policy resulted in greater stocking opportunities in the Tay system the board would want to have a full capacity at the hatchery available to them. The board agreed this.

**ACTION: DS to contact the Dee and explain the board's decision.**

12. **December 2023 Voting**

The board had agreed an election policy in 2021 which had been circulated again prior to the meeting and was taken as read.
IMacG asked if there were any comments on the policy. There were none.

13. **Health & Safety Report**

DS reported no notifiable accidents in the last two months. Feedback had been received on the latest H&S manual and this would be addressed as a team in the September team meeting.

14. **Staffing Report Update**

IMacG advised that staff contracts had been circulated and were expected to be finalised at the September staff meeting. She updated on the positions of Administration assistant (18 applicants and

counting with closing date set for 25th August) and the Fisheries Officer (unsuccessful in June but due to contact colleges and utilise S1 jobs in the following fortnight).
IMacG advised that Mark Purrmann Charles had joined the Tay team. The Convener asked that he now reported to the board at meetings.

**ACTION: IMacG to ensure MPC provides a board report for every board meeting.**

15. **TRT Update**

***Project Development Officer:***
CI explained that the TRT were in the process of finding a Project Development Officer, of which there had been 9 applicants so far.

***Upper Shee Project:***
CI explained that the project now had agreements from all landowners involved and that the next step would be to design the riparian planting scheme.

***Road Repairs:***
CI noted there was to be a meeting with residents on Thursday. The TRT had paid for the major roadworks and this had been completed. There was an opportunity for the residents to contribute to further road improvements and it was hoped the meeting would determine what improvements were to be made and who was to finance these. The question of a weight restriction was also up for discussion.

AP asked how far the unadopted road stretched. CI replied it stretched up to the public road. AP asked if the road might be adopted but CI thought this highly unlikely.

***Lowland Restoration Project:***
This was largely in limbo until a Project Development Officer was appointed.

***Fundraising Dinner:***
CI thanked The Convener for agreeing to take a table.

16. **EIR Update**

IMacG had circulated an updated EIR paper prior to the meeting and it was taken as read.
The Convener noted that there was only one case currently with the Information Commissioner. MS stated he had been researching DG's votes and could find no record of the Tay Salmon Fishing Co owning any beats on the lower Tay. IMacG stated the beats were on the assessor's website, as did CI. DS checked the current Valuation Roll and was able to confirm that this does indeed include the TSF Company.

17. **AOB**

***Trout Protection Order:***
MS, as a member of the Tay Liaison Committee urged board members and beats who had not paid their levy fees to do so promptly. He asked that those who had not responded to the TLC do so through him.

***Marketing:***
BW noted that the TDSFB PR and marketing could do with a boost and suggested the Dattas.

**ACTION: IMacG to contact the Dattas regarding the possibility of their carrying out some PR and marketing duties for the TDSFB.**

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

(The member of the public left the meeting)

The following items were postponed to be discussed by the board at a later date as the meeting had taken approximately 3 hours by this point. They would be discussed in private by the Board due to the fact they are of a commercially sensitive nature.

18. Minutes of Closed Meeting held 6th June 2023
19.Financial Report – Debtors Update
20.AOB

***End of Open Meeting Minutes***

***The next meeting is scheduled to be held physically at the Summerhill hatchery on Tuesday 17th October 2023 at 10am.***