TAY DISTRICT SALMON FISHERIES BOARD

DRAFT

Minutes of Annual Meeting of the Proprietors within the Tay District held in terms of Section 44(1) of the Salmon & Freshwater Fisheries (Consolidation) (Scotland) Act 2003 held at Birnam Arts Centre, Birnam on Wednesday, 6 December 2023.

Present:
Toby Metcalfe (Convener)
Bobby White
Claire Mercer Nairne
David Godfrey
Michael Smith (Jr)
Simon Furniss
Bob Mason
Michael Smith (Sr)
Duncan Twigg
John Lessels
Alan Craig
Gordon Nichol
Iain McLaren
Colin Lowson
Iain Law
John Nevin
Iain Wood
Grant Kellie
Alastair Gillespie
Colin Smith
William Jackson
Roger McCosh
A D Malone
Mike Hay
Stuart Voce
Rob Jamieson
Harry Gaisford

In Attendance:
Dr. David Summers, Fisheries Director
Lee Harvey, Administrative Assistant
Mike Brown, Operations Manager
Mark Purrmann Charles, SISI Project Officer

Major David Simpson
Jerry Saunders
Nikki Thompson
Calum Innes
Geordie Stewart
Alec Stewart
Robert Younger
Sarah Brown
Michael Farrell
Cohn o Dea
Anderw Whyte
Colin McFadyen

Apologies

Councillor Andrew Parrott
David Sands
Francis Jennings
Michael Campbell
Alastair Riddell
Inga MacGillivray, Clerk

The Convener, Toby Metcalfe, welcomed all to the meeting.

Drawing attention to his introduction in the Annual Report, TM stressed the need for all to work together and avoid division. The long term decline of Scottish salmon should be our focus. The Scottish Government was to work at pace delivering its Wild Salmon Strategy but was not doing so. But WSS was the best option for making key Government agencies deliver more fish to Scottish rivers. TM implored all to support the new board which should work with Fisheries Management Scotland in driving for the WSS to be delivered.

In the absence of the Clerk, TM handed over to David Summers.

Before continuing DS intimated that, as an aid to minute taking, he intended to video the proceedings. As there was no objection, recording commenced.

DS thanked all for attending and proceeded by asking for approval of the draft Minutes of the Annual Meeting of Proprietors of 13 December 2022, which had been circulated previously within the Annual Report and taken as read. On a proposal by Jerry Saunders, and seconded by Callum Innes, the minutes were approved.

Consideration of 2022 Accounts

DS read some commentary prepared by the Clerk. There had been a £938 deficit in 2022. This reflected a reduction in income of £43,000 compared to 2021, when there was the coronavirus fund and a hatchery donation from John Apthrop. Salaries etc were roughly in line with 2021, but vehicle costs were up nearly £8,000 due to increased costs of fuel and repairs to an ageing fleet. The Board had rectified this in 2023 by purchasing two new vehicles.

In response to an email query from a proprietor, DS explained there was no vehicle depreciation charge on the balance sheet because the Board depreciated vehicles over 4 years at 25% per annum. All the vehicles were older, therefore fully depreciated.

There being no questions, on a proposal from Claire Mercer Nairne, seconded by Duncan Twigg, the accounts for 2022 were approved.

Consideration of the Annual Report 2022/23

DS reminded the meeting that, by law, the Annual Report had to be presented in draft, therefore was not presented as a glossy document. Owing to an emergency issue, DS had not had time to include an obituary for Bill Jack, a former convener. There was broad agreement to his request to include this in a final digital version.

On a proposal from Toby Metcalfe, seconded by Iain McLaren, the Annual Report was approved.

Duncan Twigg drew attention to the graph of historic net catches and expressed concern that a legacy of overfishing could still be ongoing. DT also expressed concern over the viability of reconditioned kelt eggs in the River Eden. DS explained that a licence had been obtained to stock parr into the Eden as it is a silty river. They had also been fin clipped to allow success to be assessed.

Presentation on work done in 2023

Before the retiring Board demitted office, DS would summarise the Board's achievements against the actions in the River Plan.

Piscivorous birds: Volunteers led by Bob White had greatly expanded the coverage and number of bird counts which led to an increased quota of goosanders. Those present who participated were thanked and others invited to participate.

Seals: DS was hopeful that an application by Fisheries Management Scotland to the Scottish Marine Fund would provide seal scarers for the Tay, Earn and Eden.

Smolt and adult salmon passage: A significant part of staff time was taken up ensuring new beaver dams and fish passes remained passable. Volunteers, led by Bobby White, had removed a large dam, under licence, on the Shochie Burn. The Convener sought to have staff time managing beaver dams reimbursed by Scottish Government, but was turned down.

Obstructions to fish passage: SEPA had made no progress on opening the upper River Garry although this was on its list of restorations to be completed by 2027. The same applied to a weir on the Dall Burn, Rannoch. However, SEPA had removed a weir on the upper River Eden.

The Convener and DS had several meetings with SEPA to discuss fish passage and abstraction on the River Lochay. SEPA are undertaking a review of SSE's licence. This is taking time but was underway. A contractor had looked at the feasibility of replacing a gabion weir which backs up the water level below Buchanty Spout, but the cost would be high.

Water abstraction: The Lochay, as discussed, is a priority but SEPA brought in new rules on agricultural abstraction in 2022 and they did suspend abstraction in the Eden catchment.

Habitat Issues: The Board was working with Loch Lomond and Trossachs Countryside Trust and SRUC to gain permission to lower a flood bank on the River Fillan. LLTCT had commissioned a flood risk analysis, funded by the Nature Restoration Fund, to determine effects on neighbours.

The Board had applied for a felling licence from the Forestry Commission to remove shading trees on part of the Lunan Water to encourage riparian grasses and waterweed. This was stalled, possibly because it went against FC perceptions of how riparian trees should be managed. DS considered the only way to break this log jam was through good science.

Hatchery: The main stocking effort had been on restoring the River Garry. However, Marine Directorate had refused a licence in 2023 to take broodstock for stocking the main stem of the Garry, which they considered no longer necessary. Broodstock was still licensed for the Allt Glas Choire tributary and would continue on the River Eden and Ruchill Water.

Gyrodactylus: Proprietors had been reminded of the need for maintaining biosecurity but not enough had been done. Gene banking had been proposed. Marine Directorate are currently investigating the potential of this issue, so their findings were awaited.

Smolt passage: The River Ericht Focus Group, chaired by Jerry Saunders, had been very active with regard to the fish farm abstraction issue on the River Ericht. This had been raised at the

highest level with Mairi Gougeon MSP, Cabinet Sectretary, and John Swinney MSP. Joh Swinney was to convene a group to take the issue forward but that had still to happen after 6 months.

Enforcement: Mike Brown, the Board's Operations Manager gave an update on enforcement activities. Good relations with Police Scotland continued. He, TM and DS had a very helpful meeting with the local area commander regarding getting more Police help. An invitation was extended to a local rural crime information sharing group. Another meeting was planned for February 2025 with national and local wildlife crime officers to deal with the issue of anglers fishing for salmon in the lower tidal reaches. This takes up much staff time in late summer / early autumn if the river is low. This was an issue across Scotland, so Police Scotland was interested in a wider awareness raising campaign in summer followed up by joint patrols later.

MB hoped these initiatives would see fisheries issues given higher priority. Attention would be drawn to importance of salmon. As numbers have declined it is easier for poaching to damage sensitive stocks. MB was very pleased the Police were collaborating towards a common goal.

MB was thanked for his update.

Offshore windfarms: There had been no resource to engage with issues and opportunities arising from offshore windfarm developments.

River Health: Mike Brown and the team had been fully engaged in summer and autumn with electrofishing surveys. In 2024 this also included participation in the Scottish Government's National Electrofishing Programme for Scotland, for which the Board is paid. There had not been resource to develop a project on the River Lyon but it was hoped with TRT expanding its activities initiatives like this may develop.

Habitat Improvement: No progress had been made on lowland riparian projects but the Board is keen to see such developed. The TRT had employed a project development officer and it was hoped this may be something he could develop in time. Riparian issues would be a good place to start, but diffuse pollution from arable land would be much more ambitious.

In 2024, contact was made with estates in Glenshee with a view to developing riparian shade in exposed spawning tributaries where salmon are at risk from future warming. Board staff deployed temperature loggers on behalf of TRT, which identified areas most at risk. The TRT's new project officer was now developing this potential project.

There has been no resource to consider issues like peatland restoration or Natural Flood Management, but such projects should remain an aspiration for future development.

Invasive and Non Native Species: Board staff had collected water samples on behalf of the Tay Rivers Trust which were analysed by UHI to determine upstream limits of signal crayfish in the Ardle and Blackwater through eDNA. However, Board staff did not consider a proposal to eradicate coarse fish from a loch at Rannoch to be feasible.

Smolt passage: PIT tagging on the Tummel had not resumed owing to a lack of staff resource and concerns over potential effects of PIT tagging or investigating those effects.

Smolts at Stormontfield Hydro had been monitored in the previous two years along with SEPA and the owner. Bobby White had maintained a close eye on Stanley Mill Hydro station.

The Plan included some very ambitious projects such as tracking smolts through Loch Tay. There had been no time to develop such.

Evidence base: The TRT expected a contractor to start analysing SEPA long term invertebrate records in early 2024. Volunteers on the River Earn were fishing for broodstock to provide salmon fecundity data to inform the Marine Directorate's river classification model. A proposal to survey juvenile salmon in deeper rivers like the Earn and Eden had still to be developed.

Therefore, in the first part of the Plan, the board had successfully delivered many of the things committed to. There were a number of outstanding issues where the Board's task was to lobby SEPA and other organisations. As TM had said, those were not yet being delivered at pace. But the Board would continue to engage with that process. DS hoped that there would be better news next year on issues SEPA were committed to delivering by 2027.

Presentation on Scottish Invasive Species Initiative (SISI) by Mark Purrman Charles

SISI's funding was due to expire early in 2023 but a 3 year extension had been secured. MPC was now the Tay's full time Invasives Species Officer instead of covering both the Tay and Esks.

From an initially treating Japanese knotweed and Giant hogweed on the upper and middle Tay and Tummel, SISI had progressed to the Isla, Ericht and Almond, with attention turning to the Fearnan / Kenmore / Newhall area and Kinclaven to Luncarty. MPC would be getting in touch with lower Tay beats. An Almond partnership project with Perth and Kinross Council had been developed. A member of staff had been employed to work with MPC. Control of giant hogweed had started from Buchanty down to Bertha Park bridge. Then next season will extend down to the Tay. Over 35 volunteers had been recruited.

As there is no practical method of controlling Himalayan balsam, MPC hoped to trial a balsam blight which had been developed by CABI in Cambridge and already tried on the Tweed. MPC was looking for 12 trial sites and appealed to any present who would be willing to assist.

While those currently trapping mink were doing a great job, MPC stressed the need for a big push to expand trapping. MPC appealed again for information of sightings and help.

Questions from the floor

Duncan Twigg asked MPC whether SISI covered sycamore. It did not, but was very invasive. The Woodland Trust and others dealt with it.

R McCosh expressed concern that Amercian signal crayfish had become a huge issue on the Ericht. MPC explained there was no effective current control method. MPC had tried trapping in England which was not successful as juvenile crayfish then did better. It also required a licence.

DS referred to a debate in the Scottish Parliament's petitions committee where the evidence for crayfish control had been marshalled. Nature Scot were against issuing fishing licences on the grounds of its limited effectiveness at control and that experience elsewhere suggested people would then introduce them to other rivers. R McCosh considered proprietors on the Ericht, Ardle and Blackwater, if allowed, could trap 10,000 or more per year.

TM recommended that the new Board should investigate whether there was an effect of control on populations or not based on experience from elsewhere. Only by producing evidence could the situation be changed.

Colin Lowson requested the new Board engage with the Earn re invasives. MPC explained he was working down the Tay catchment and hoped to reach Perth by 2026, then start looking at the Earn. MPC agreed work could start at the top of the Earn now if resources were available.

Michael Smith (snr) expressed some disappointment in the Annual Report. He singled out a lack of data on piscivorous birds, lack of progress in dealing with Lochay Falls and a weir on the Shochie Burn and failure to deal with two waterfalls on the River Garry which he considered insurmountable in a compensation flow. A lack of communication between fisheries officers and those working on the river meant a loss of intelligence. The lack of an obituary for Bill Jack was "shameful". He concluded "and to summarise more of the same is not acceptable, our river is on its knees and I personally blame the convener and the director for no progress."

DS raised a further question emailed by Michael Campbell who wished to know the efforts the Board made to encourage other bodies responsible for work the Board wanted to see done. DS had explained the Board meets regularly with relevant public bodies and had taken issues to the highest levels in Scottish Government, yet progress was still slow in some areas. DS used the falls on the River Garry as an example. Modifications to falls had been suggested to SEPA, but that would not be considered. Michael Smith questioned this. DS explained that the Garry genetic work was aimed at finding out whether fish could ascend the falls, and early

results showed some at least do. DS considered that others may view restoration as meaning leaving natural waterfalls present. That was the world we live in.

As there were no other questions, TM intimated the Board would now demit office and hand over to officers for the election.

TM explained that the Clerk was not present because of correspondence received on which the demitted board had taken legal advice. Its advice to the next board was that it should follow that legal advice.

TM thanked retiring Board members for their hard work. He was disappointed to be advised that the Board had failed. It ignored what he had said in introduction. The best possible chance of delivering for Scotland's rivers was to see the Scottish Government's Wild Salmon Strategy delivered. TM hoped the next Board would fight hard for that.

TM thanked the meeting and stood down as Convener.

The meeting was closed.