

MINUTES of MEETING of THE RIVER DEVERON DISTRICT SALMON FISHERY BOARD
being a Meeting open to the public in terms of the Aquaculture & Fisheries (Scotland) Act 2013
Thursday 10th September 2020 at 3.30pm via Video Conferencing using MS Teams.
This meeting was held in conjunction with that of the TRUSTEES of THE DEVERON, BOGIE & ISLA RIVERS
CHARITABLE TRUST. The minutes cover both organisations.

At the outset, the Chairman explained that in terms of the 2013 Act, all Meetings require to be open to the public. An invitation to the public was published on the Board's website along with a copy of the proposed Agenda. Any member who wished to attend was required to inform the Clerk.

Present: **Andrew Allwood (B), Jim Cruickshank (B&T), Matthew Marsden (B), Robert Shields (B & T), Rory Cooper (B & T), Frank Henderson (B & T)** (Turrieff Angling Association & Turrieff Community), **Richard Breakell (B)** (Salmon Anglers), **Richie Miller (B and representative of DBI Trust)**
In attendance- **Mrs S Roebuck** (Clerk to Board and Administrator of DBI Trust); **Marcus Walters** (DBI Trust), **Karen Muller** (Project officer), **Jack Farge** (Project Officer)
{ **B = Board member; T = Trustee or representative**}

Chairman: **Mr Andrew Allwood**

Apologies for Absence: **David Borthwick (B & T), Gordon Morison (B), Mrs J Player (B)**

Minutes of Meeting on 2nd July 2020 A draft of the Minutes of the Meeting had been sent to all Members of the Board and Trust and unanimously approved by those who had attended. The minutes have been published on the Board/Trust's website (www.deveron.org) and signed off by the Chairman of the Meeting.

Aquaculture and Fisheries (Scotland) Act 2013 Mr Allwood reported that there were no changes noted to Board Members Financial Interests since 2nd July 2020 as applicable to the Board. No complaints against the Board had been received by the Clerk since the last meeting.

Update on Financial Matters Mrs Roebuck reported that bank balances in both organisations were healthy. The next quarterly accounts will be made up to 30th September and circulated in October.

The fund at McInroy and Wood now stands at £133,025.68.

Mrs Roebuck reported that statements will be sent out for the 23 outstanding assessments from 18 proprietors.

Mrs Roebuck informed the members that one of the proprietors has 3 years' worth of assessments outstanding. An attempt at payment of some of the debt was made by the proprietor but the cheque was refused by the bank as it was post-dated "2022". A recorded delivery letter was sent to the proprietor 20th July 2020 and the involvement of a solicitor over the three years has not resolved the issue. The Board members agreed that the right actions have been taken so far but to also consider getting this resolved through the small claims court. Mrs Roebuck to investigate this option.

Mr Cruickshank explained that the Trust had a healthy surplus for year ending 2019/20. Furthermore, due to COVID-19 the Trust has been denied some of the funding this year and projected a considerable loss for Year Ending 2020/21.

Annual Meeting

Mr Allwood and Mr Cruickshank went over the process of the AGM and key points to be highlighted. No Comments were made by the Board.

Report by Mr Miller and Mr Walters on DBI Trust work

Mr Miller and Mr Walters gave a short report as most of the points were included in the Annual Report which had now been circulated to all Proprietors and other interested parties.

Prominent discussions were made on the following:

Water Quality: Mr Walters reported a further 9 samples were collected by Mr Miller in July and plan to collect another set of samples in October on the back of another rise.

The Trust had planned for Mr Craig Macadam from Buglife to come and do an invertebrate survey throughout the catchment at 15 sites but due to COVID-19 restrictions and limitations on travel from his employer, this has been put on hold and rescheduled for April 2021. Mr Andrew Allwood asked to compare the results to a survey taken a few years ago to see whether the findings are suitably adjusted over a period. Mr Walters is unsure whether there is data available to refer to.

Mr Robert Shields asked if the Trust is aware of how many insect studies SEPA do. It was explained by Mr Miller that SEPA do a significant number of surveys through the catchment to quite a high level. SEPA have a long-term network throughout the river that should allow the Trust to find out where the sites are and to allow them to do others when Craig Macadam is scheduled to come in April. Mr Shields expressed that these surveys only have value if they are done regularly, such as annually and only if data is available to be referred to. Mr Walters will seek more clarity from SEPA to help understand what is required and whether all sites are sampled every year. This is to be reviewed at the December meeting.

There was a fish kill on Fogue Burn. This was reported to SEPA and traced back to a farm where they found some drains that did not have appropriate protections in place from activities in the farmyard. The Farmer has been issued with a warning letter. Mr Walters explained that he will be revisiting the site to electro fish that section again and see what fish are still there.

Bird License: Mr Miller asked for some clarification on whether it is legal to shoot to scare without a license. Mr Walters explained that he believes anyone can shoot to miss on an act of scaring as long as they have a shotgun license but enquires will need to be made to ensure that by doing so no one is in breach of the Countryside and Wildlife act 1981 nor any other legislation. The license which does not start until the 1st October allows appointed agents to shoot 9 Goosander and 1 Cormorant on behalf of the Board according to specific conditions listed in the licence.

Mr Allwood has requested to define the survey dates to allow ghillies/owners to prepare and has asked to consider increasing the bird count throughout the winter period. It was suggested by Mr Allwood for a letter to be issued to ghillies/owners so that if questioned by a member of the public they can explain the reasons for taking part in scaring activities. Mr Miller explained that this is done already but for during the license period and advised against the Board/Trust issuing any encouragement letters out with the license period.

Mr Allwood has requested that the Trust investigate other methods of scaring and to write a plan to get it underway. Mr Walters expressed that this could potentially be done but he would have to investigate what beats can do and what they are willing to do. This may impose problems such as upsetting neighbours if scaring is done too regularly. A lot of the Deveron is busy with houses so careful consideration will be required. Mr Allwood urged that the Board/Trust is seen to be taken on board that other options are being explored and tried. It was noted by Mr Miller that it is a legal requirement of the license to report what non-lethal methods have been tried.

Deveron FMP: The Priority Work Plan from Deveron FMP 2020-2023 summary sheet has been circulated. The document breaks down key areas that are covered within the FMP and what the Trust are doing on an annual basis.

Mr Shields asked for a summary on fish counters. Mr Miller informed the members that the Trust has exhausted all investigations on the types available which pushed the Trust towards an acoustic counter due to not having any major constrictions on the river. The Trust has worked with a company from Aberdeen, Huston called Trittech. Their kit was marketed to the Trust, however the Trust quickly found that in a turbulent river environment it was not adequate and data processing was nearly impossible for an organisation such as the Trust. Advice was taken from Mr Peter Clabburn at Natural Resources Wales and the Trust has chosen to continue to investigate an acoustic counter, the ARIS Sonar made by sound metrics in North America. Fund raising has not been pushed yet, this is because the AST has expressed an interest in working with the Trust over the Missing Salmon Alliance. Mr Miller went on to explain that AST might assist in funding the counter or possibly fund the operation of the counter through a wider partnership.

Health and Safety

Mr Miller reiterated that the Trust are working to the government guidelines and a review was done recently and will adopt those measures.

AOCB - Bailiffing

Mr Allwood thanked everyone at Trust for all the work that has been done in the last few months under challenging conditions. Mr Allwood suggested reviewing the Bailiff funding and strategy over the winter as it takes a lot of time and hours. This is to be discussed further at the December meeting.

AOCB – Letter from Mr Morison

Mr Allwood reported an e-mail had been received from Mr Morison which has been addressed. The e-mail referred to the Forge Burn pollution incident. Mr Allwood has requested for a report to detail what has been done and is being done in the future to keep Mr Morison informed and to also keep as a record for future reference.

Mr Allwood has asked Mr Miller to update the Health and Safety section on the report as it has caused some confusion / misunderstanding. In response to Mr Morison's e-mail, Mr Allwood confirmed the office remains open but closed to the public.

AOCB – Mr Hay's gift

Mr Allwood thanked Mr Shields for organising Mr Hay's gift.

AOCB – Resignation of Mr Donald Galloway

Mr Allwood reported that Mr Donald Galloway from Banff and Angling Association has decided to step down, and Mr Robert Copland is proposed to take his place. Mr Matthew Marsden has proposed him, and Mr Richard Marsden has second this.

AOCB – Trustees

Mr Cruickshank explained that the Trustees are now fewer in numbers due to Mr Hay retiring. Mr Cruickshank proposed Mr Allwood to be invited to join the Trustees in sitting with the Board of the Trust. This was unanimously agreed.

Mr Cruickshank has requested that the Trustees could hold a meeting yearly on their own in addition to the statutory meetings to develop strategies. It was suggested that the meeting would be held at the end of the season to help bring back more detail in the joint meetings.

Mr Cruickshank thanked all the Trust staff for their commitment over the last 6 months since the lockdown. Mr Cruickshank explained difficult decisions had to be made with activities made harder by having to stay within Health and Safety guidelines. The Trust was congratulated on their can-do approach and for doing their best whatever the conditions.

Next meeting

Next Board/Trust meeting will be on Wednesday 2nd December, Castle Hotel at 12noon.

This may change if COVID-19 restrictions do not allow us to hold meetings face to face

Meeting closed at 4:55pm

Mr Allwood thanked everyone for attending. The Annual Proprietors Meeting and DBIT AGM followed.