

RIVER DOON
DISTRICT SALMON FISHERY BOARD

Clerk to the Board: Iain K Clark, LLB (Hons), Dip LP, NP
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MINUTES

of

Meeting of River Doon District Salmon Fishery Board:

Wednesday 24 March 2021 by Zoom

DUE TO COVID-19 CONSTRAINTS, THIS MEETING WAS HELD BY ZOOM IN PRIVATE

Present:

Name:	Organisation (Position):
Alan Macdonald	Doonside Estate (Chairman)
Austin Thomson	Retiring Clerk to the Board
Iain K Clark	New Clerk to the Board
Stuart Brabbs	Ayrshire Rivers Trust
Iain Campbell	Smithston Fishing Club
David Cosh	Doonfoot Fishings
Lawrence Dalgleish	Rozelle
Martin Donachy	Woodlands
Carlos Van Heddegem	Holms Fishing
Peter Kennedy	Doonholm House
Peter Kennerley	Auchendrane House

1. Apologies - none

2. Appointment of New Clerk

Thanks were expressed for the longstanding service of Retiring Clerk to the Board, Austin Thomson. Iain K Clark was proposed as new Clerk to the Board proposed by Alan MacDonald and seconded by Lawrence Dalgleish; unanimously approved and appointed with immediate effect.

3. Co-Option of Peter Kennerley to the Board

Peter Kennerley was proposed by Alan MacDonald and seconded by Peter Kennedy to be co-opted again to the Board; unanimously approved and so co-opted.

Martin Donachy was welcomed as a new member to the Board and introduced himself with a summary of his previous experience on other Boards, with a particular experience of good governance.

4. Minute of the Last Meeting

The Minutes of the last meeting on 26 April 2019 were tabled.

The Minutes of the AGM and Public Meeting held on 26 April 2019 and of the Triennial Meeting of the Board held on 30 April 2020 are being finalised and will be placed before the respective meetings in due course.

5. Matters Arising

None not dealt with elsewhere in the Agenda.

6. Approval of Minutes

The Minutes of the last Board meeting on 26 April 2019 had previously been circulated to Board Members, were proposed for approval by Lawrence Dalgleish and seconded by Peter Kennerley; and unanimously approved.

7. Report from Ayrshire Rivers Trust

Stuart Brabbs of Ayrshire Rivers Trust presented a verbal report and discussion followed on a number of points, summarised as follows:

Hatchery/Stocking

The hatchery is no longer operating any more, following Scottish Government introducing a policy on stocking whereby stocking should only be used for mitigations or above impassable manmade structures. Stuart explained that, under those rules, for the Doon Catchment Area, this could still be permissible upstream of the Loch Doon Dam and if we could justify as mitigation e.g. from a pollution incident

A Review on Stocking Policy was conducted by Marine Scotland in December 2020 and January 2021 and we are still awaiting the outcome of that review.

A number of Board members contributed to a discussion about possibly restarting the hatchery. Stuart confirmed that would require a licence from Marine Scotland and they would seek the justifications behind the approach and stipulation of how it met the current policy, which Stuart explained that artificial stocking for enhancement is not considered to be beneficial, but may be justified due to access or pollution issues. This is because if people are stocking over the top of the natural wild salmon, that introduces further competition, which will artificially favour the reared stock over the wild stock, which is counter-productive.

Stuart confirmed that the science showed that artificial stocking doesn't improve the position and so ART's recommendation is that they strongly advise against stocking. Instead, they would prefer to recommend improvements that bring sustainable benefits

– rather than simply having an ongoing financial commitment that may potentially do damage.

After discussion by a number of Board members, it was noted that there were more Board members against than for stocking.

Improvement Measures

On the basis that ART are recommending we are better as a Board supporting improvement measures, and being asked to give examples, Stuart summarised some of the measures which had been undertaken, pointing out that we have a very good fishery management plan from 2009.

Work had been done in the Culroy Burn, where natural spawning was now taking place.

The Board had been successful in fencing various parts of the river course, including many small burns, to prevent the issues encountered with livestock and erosion.

One of the priority areas identified was to look at ways to restore the Chapelton Burn in the middle catchment, due to sedimentation issues. Feasibility was being considered, as this has been straightened and dredged and is one of the most important sea trout catchment areas.

ART have also been finding salmon in Brockloch Burn. It is encouraging that salmon are managing to get up quite a difficult, short climb, but the burn downstream is badly impacted and requires gravel cleaning in the lower Brockloch. There has been a bit of fencing, but once they have completed the bypass at that roundabout, it will need to be re-assessed, as any other steps taken before that could be wasted before those works are completed.

Other areas being discussed were the Poclune Burn and the Martnaham Loch. With the latter, Stuart advised that we do not have a good habitat. They are having to deal with nutrients coming off the land; and it is ART's view that it is crucial for SEPA to get on and stop farming inputs and other diffuse pollution inputs. Despite these issues, they have found fish in it, but not natural juveniles. Apparently they saw an adult salmon in there.

Alan MacDonald suggested that ART might produce a priority list of habitat improvements which could be undertaken within the Doon Catchment Area. Stuart indicated the Management Plan was being updated and he would be happy to discuss with the Board what they would like to priorities over the next year or two.

Aquaculture

In the course of the discussion above regarding stocking and other improvement measures, comment was also made also regarding the issues from fish farms and that we are now facing more aquaculture in the Firth of Clyde. The Board noted with

considerable concern and had seen first-hand the consequences of the largest escape of farmed salmon in Scottish history and in our river. There is ongoing extensive work to prove and refine a scientific report along with Fisheries Management Scotland (“FMS”) that we could and should oppose aquaculture in sensitive areas in Firth of Clyde

Stuart also referenced issues which had been experienced with Norwegian stock where there were escapes and introgression with wild stock.

Migration Routes and Missing Salmon Alliance

Stuart indicated that one of the areas is that we don’t know about is the migration routes for smolts from our rivers. This is something the Missing Salmon Alliance are looking into, although they are not looking at Ayrshire rivers specifically, it is the Firth of Clyde rivers, mainly the Clyde, Leven, Kelvin

Catch Returns

Stuart noted, with thanks, that David Cosh had compiled the Annual Returns again. It was apparent that every Ayrshire river had almost identical trends, despite different approaches to stocking – the River Girvan had not stocked, the River Ayr had hardly stocked and the River Doon had been intermittent. The data would tend to suggest that there are major impacts happening at sea – which is apparent from the River Stinchar and River Doon charts; and that is why ART and others say stocking is not the solution.

Stuart referenced the Report released on 23 March 2021 by Fisheries Management Scotland (“FMS”) with catch data from around Scotland. It was a pretty mixed bag. Some noted statistics were:

- 21 rivers were up on their 2019 catch data
- 24 rivers were down on their 2019 catch data
- All 10 of the South West Scotland rivers were up
- 2/3 of the East coast rivers were down
- 28 rivers were under when looking at a 3 year average
- 25 rivers were over when looking at a 3 year average
- The River Ayr had improved on it’s 10 year average, possibly due to improved catch statistics plus a new counter going in on the River Ayr

8. Report from Retiring Clerk

Austin Thomson, the retiring Clerk gave a Report to the Board, summarised as follows:

Financial

The amounts held are as follows

Cash at Bank	£4,125.84
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National Savings Account	£7,373.86
Total	£11,499.70

There are a number of Outstanding Assessments, including one relating to the longstanding disputed ownership of the fishing rights, which remains outstanding. The Retiring Clerk agreed to pass the details to the Chairman and new Clerk to deal.

There is currently more expenditure than income. All of the books are currently with the Board's Accountants, Azets, to have the Accounts to December 2020 prepared. When they are available, they will be circulated to Board Members in advance of the AGM.

Arrangements have been made for a handover of the files for the Board from the retiring Clerk to the new Clerk.

Thanks were expressed to Austin Thomson on behalf of the Board for his diligence, dedication and his support as Clerk to the Board over the years (understood to be at least 26 years), which was very much appreciated.

9. Gangs of Youths on River – Action Required

There have been a number of issues reported of disturbance last summer being caused by gangs of youths. This is not acceptable, as fishermen are paying to fish.

David Cosh wrote on behalf of the Board to 4 West of Scotland MSPs. He received a reply each from 1 Conservative and 1 SNP MSPs, both of which were positive replies offering to speak to Police Scotland to do something about these issues if necessary this year.

It was stated that the Board hoped that these issues had become more prevalent last year because of issues relating to lockdown during the COVID-19 Crisis; and that this year may not be as troublesome, once Restrictions begin to be lifted.

There was a discussion amongst the Board members of different experiences of what the Police could do and had done in the past, ranging from issues which had been experienced because the Police were so short numbered, to a number of youths being abusive and lighting fires being arrested.

Iain Campbell suggested that we were better speaking at local level and agreed to arrange to obtain the names and contact details of the local community officers so that they could be circulated to the riparian owners and put in fishing huts etc.

10. Bird Cull

The bird cull has been organised by David Cosh and Carlos Van Heddegem. The permitted number of goosanders have been shot and reported, as required.

Stuart Brabbs indicated that at the FMS conference the Predation Committee, headed up by Roger Knight of the River Spey DSFB was proposing to work with government agencies to make a change in the law and way licenses now issued, so that they consider the health of fish stocks. They are looking for data on impacts and feeding habits of the birds. It is becoming getting harder to get support from NatureScot. It is hoped that a strategy will be formulated to work with these issues

Martin Donachy noted that he had experience of two Ghillies Associations carrying out a census of mergansers, with a lot of employed ghillies assisting with the count. Stuart indicated that in the past they had done surveys by kayak and by drone counts, but this was restricted last year because of COVID-19 restrictions.

11. Farmed Salmon – Action Required Against Mowi

There was a discussion about the escape of almost 50,000 farmed salmon from Mowi Scotland's Carradale North farm on 20 August 2020.

There have been issues previously with such escapes, but this is understood to be the largest in Scotland's history and there are no criminal sanctions which can be brought against the salmon farm operators.

There was some discussion about previous objections to planning applications for such fish farms over the last 30 years and they have all gone ahead regardless.

There are concerns about companies like Mowi placing open cages in high energy areas like the Firth of Clyde.

Stuart Brabbs pointed out one difference is that FMS have now appointed an Aquaculture officer to work with partners, because it is considered that we have to try and do something different. This is where we would try and influence and be part of those discussions.

There is a belief that the statistics in the Report prepared by FMS and released on 20 March 2021 (which identified 295 farmed salmon reported by ART and 277 farmed salmon reported by FMS) and an estimate of around 3,000 escapee farmed salmon entering Scotland's river systems, were under reported.

There is also a belief that Mowi will want to be seen to be supportive of measures to make up for their failures. They are apparently already willing to fund the scale studies already undertaken at the end of last season and there is some discussion about possible funding for introgression studies.

Iain Clark explained that it may be worth investigating the possibility of a civil claim against Mowi in respect of the recent escape. The Board agreed in principle that the Clerk should investigate this and would endeavour to make contact to galvanise support from other relevant organisations such as DSFBs and Trusts for the areas affected, including Angling Associations, Clubs and other stakeholders. That may be with a view

at least of supplementing the data already gathered with additional supplementary photographic evidence and information; and, with the benefit of such information as can be gathered, to consideration of the possible instruction of a formal legal opinion.

12. Collection of catch and returns/rates

David Cosh has done a lot of work on collecting and collating the catch and return statistics. However, the system currently being used is considered not fit for purpose.

It was agreed that the new Clerk and David will consider the issues of poor reporting and how to make the system more efficient (perhaps including some form of electronic recording) in time for the end of the salmon fishing season.

13. Permits for Private Water

There was some discussion about day permits for private waters and the requirement to record catch statistics. This will be included in the discussions about catch statistics generally.

14. Correspondence

None

At this point, Stuart Brabbs was asked to leave the meeting to allow discussion of the next two points on the Agenda.

15. Discussion on Fisheries Management Scotland (“FMS”)

There was some discussion about the role of FMS and whether it is to the benefit of the Board to remain paying the annual subscription to be a member of FMS.

A number of views were expressed from it not being fit for purpose, to being too close to Scottish Government, and subject to various potential conflicts of interest; and whether Boards were being sufficiently well represented; and at the other extreme that there was a benefit of being part of FMS rather than being outside the organisation.

Austin pointed out that the Annual Review of FMS (23 pages) was issued the day preceding the meeting. It was suggested that members should give further consideration to this; and also to interaction with other organisations such as the Missing Salmon Alliance and this discussion could be deferred to the next meeting, to give members an opportunity to further consider the position.

16. Discussion on Ayrshire Rivers Trust (“ART”)

There was a discussion regarding whether or not the Board received value for money from the services provided by ART. However, it was pointed out that ART did much

more than only deal with electrofishing and reporting thereon, including dealing with pollution incidents, liaising with FMS, dealing with the bird count, obtaining licences etc.

A consensus was reached and it was recognised by the Board that it would be short sighted to cease working with ART, especially due to the significant professional support that the Board receives from ART.

It was resolved that the Board would continue to work with ART and we would seek to engage with them to maximise the benefit gained from working with them for the benefit of the River Doon catchment area. Alan MacDonald agreed to communicate the essence of the discussions to Stuart Brabbs – namely that we would continue to work closely with ART, but may ask for more professional input, as required.

17. Any Other Business

It was agreed that Austin was to arrange for the Code of Conduct to be sent to Iain Clark to be reviewed and updated as appropriate and then circulated for approval by the Board. It will then be issued with a letter to Riparian owners indicating the Board's views that we are requesting anglers operate 100% catch and release; and also updated to cover the latest guidance issued by FMS on identifying and killing farmed salmon caught in the river system; as well as other relevant information considered to be relevant which should be communicated (such as regarding the contact details of the local community police officers etc).

The Board was advised that it was understood a survey had apparently been undertaken by East Ayrshire Council on the River Doon relating to flood prevention, but that this had apparently been undertaken without consent of the riparian owners.

18. Date of Next Meeting

It was agreed that, with a number of matters to be further followed up, the Board would convene a further Board meeting in June 2021.

It was agreed that the date for a Joint AGM and Public Meeting (on the same date) could be postponed until a date later in the year, when preferably relevant persons could meet in person, once (hopefully) COVID-19 restrictions are eased.