

MINUTES OF WRASFB BOARD MEETING

HARBOUR CENTRE, GAIRLOCH		PRESENT:	
DATE:	04 November 2013	Bill Whyte (BW) Chair	Stephen Bate (SB)
OPENED AT:	12.35	Hugh Whittle (HW)	Donald Rice (DR)
CLOSED AT:	16.45	Philippa Cliff (PC) [Iain Russell's mandate]	
IN ATTENDANCE:		Rosie Nicoll (RN) [Pat Wilson's mandate]	
Peter Jarosz (PJ)	Peter Cunningham (PC)	Ray Dingwall (RD)	Brian Fraser (BF)
Mary Gibson (MG)	Stuart Allison (SC)	Frank Buckley (FB)	
		APOLOGIES:	
		Jamie Crawford (JC)	Gordon Crawford (GC)
		Iain MacFadyen (IM)	

The board welcomed Rosie Nicholl to her first meeting of the WRASFB. Rosie has been mandated by Pat Wilson for his seat on the board.

1. Apologies

Apologies were received from Jamie Crawford, Gordon Crawford and Iain MacFadyen.

2. Approval of the minutes of the 30th April Meeting

The minutes of the 30th April were amended to delete within item 4 "one of these still has not paid the levy from 2011-12" and were then proposed by HW, seconded by SB and approved by the board.

3. Matters Arising

(a) Legislation regarding board meetings.

The Aquaculture and Fisheries (Scotland) Act 2013 states that members of the public can attend board meetings but that when matters to be discussed in a meeting are required to be kept confidential, the meeting can be restricted to board members only. The chairman has proposed that when "work in progress" is being discussed and, there is a need for confidentiality until that work is completed, the board will determine whether that confidentiality would be compromised by opening the meeting to the public. When work in progress becomes work completed, it will be published on the board's web site.

(b) RAFTS/ASFB AGM meeting (30/10/2013)

BW reported on some of the issues that were raised/discussed at this meeting:

- Marine Scotland presented the latest on their offshore renewables involving possible impacts on wild salmonids. There is a current survey (by MS) on migratory routes of salmonids on the east coast and, subsequently, on the west coast. This survey is for the purpose of responses to applications for offshore wind farms and for the effect underwater cables may have on salmonid migratory routes.
- On the effect of underwater cables BF asked if there had been any research done and published regarding the cable from Harris/Lewis that comes to land in the Gruinard area. FB thought that there was and would look into it.
- Two boards have still not signed up to the ASFB Code of Good Practice; ASFB will decide on any future actions if they do not sign up.

(c) Thanks

WRASFB wishes to record its thanks to Jane Maclay for allowing BW the time to address all the planning issues and those issues directed at the board from one ex board member/proprietor and one member of the public.

4. 2012-3 Accounts

The set of 2012-13 accounts put to the board were approved.

From year end 2013-14, accounts will be sent to SG (along with an annual report) and will be made publicly available via our web site. The Aquaculture and Fisheries (Scotland) Act 2013 places additional requirements on boards and this requires more time input for the clerk, who is paid, and the chairman, who is not. One such requirement is the introduction of a Complaints Procedure - which we now have from ASFB - and WRASFB has already been challenged (prior to the 16th September) via the threat of a complaint from Protect Wild Scotland (PWS) regarding:

- i) An accusation of a lack of transparency by the board because it refused to pass over to PWS “work in progress” documents and consultations. (see 3a above).
- ii) Our complaints procedure (i.e. did we have one and how could PWS submit a complaint if we did not supply them with a copy)

These types of complaints are, without doubt, time consuming and therefore costly. It should be noted that only complaints made and received following 16th September 2013 (the date the Act came onto the statute book) are covered under the new legislation. The board notes that all assertions relating to their actions, or lack of actions, are generated from the same source.

5. Board’s Work Plan for 2014/5

The board needs to define the needs for its work plan for 2014-15 being conscious of its responsibilities/statutory duties as well as the fixed expenditure requirements. Certainly the following items need to be considered for part of the work plan:

- Fish farm visits under the caveat that the WRFT biologist carries out a full inspection, including lice counts and the board receives the full inspection report.
- Dundonnell fyke net analysis
- Sweep netting – especially those needed at short notice in response to problems associated with “on farm” sea lice levels.
- Sweep netting – to assist in the monitoring of any impact on wild fish from fish farms with ten-year term consents.
- Responses to planning consultations.
- Community projects

It was decided to conduct/finalize the details of the 2014-15 work plan via email “round robins”.

It was agreed that in the current financial year, monies could be diverted from the agreed fish farm visits budget to cover PC's costs connected with the Dundonnell fyke netting analysis and the reports generated by the data. Because fish farm visits in the Two Brooms Area were put “under review” by WRF Ltd following the trust and board responses to the Loch Kaniard planning application, the Dundonnell Fyke net is the Board’s only indicator of sea lice problems in Little Loch Broom.

6. Planning Applications

BW reported that we had a meeting arranged for next Monday with James Bromham and Colin Wishart of HC planning department.

It is important that WRASFB is clear about its differing roles and responsibilities when replying to planning applications.

- West Stromme application – although this site is outwith the board area, HC are prepared to accept a response/submission from WRASFB (treating WRASFB as a statutory consultee even for this area). Part of their reasoning is possibly

because of the board's concerns of the potential impacts this farm might have on fisheries in the board's southern area.

- Fada has gone for review for a second time - re-submitted due to a request by MS because of changes contained in the original submission. WRASFB has submitted a second response that endorsed the board's original response and emphasized the board's request for an EIA. (post meeting note, in line with WRASFB's initial response to this consultation, Fada is now also required to submit an EIA along with the Tanera sites.)
- Kanaird – this application has been approved but with a ten-year term condition to allow for monitoring to see if the development will, as asserted by the applicant, improve the sea lice management of this site. The application was for the use of new equipment that expands both the area and volume of the site. The application states no increase in biomass is intended but the increase in both size and volume, could open up the opportunity for an application for biomass increase in the future. Such an increase would require a new CAR licence application and, according to SEPA, they will not be able to consider a new CAR application until the site is compliant as regards both benthic impact and crown estate lease area. The board will continue to monitor and act on this issue as required.
- Diabaig – this site also received planning approval with a ten-year term condition back in March 2012. The farm was harvested during September 2013 – completing its first full cycle. However, FHI has confirmed to WRASFB that, throughout this full production cycle, they had completed only one visit in April 2013. A visit to this site, arranged by PC, was cancelled the day prior with the reason given that the site was too busy harvesting. The latest sea lice figures published by the SSPO for July-September 2013 in the Torridon area suggest that another reason for the cancellation was more likely to be major problems with sea lice that the farm operator did not wish PC to witness. WRASFB has been promised data/information from the Sheildaig Sea Trout Project that will be useful and may well illustrate problems in that area.

All this poses a number of issues for WRASFB:

- i) The role of the board in relation to the monitoring of farms with ten-year conditions.
- ii) The availability (or lack of it) of sea lice data for these sites.

7. WRASFB Insurance

PJ reported that, today, a quotation has been received by Lycetts from Hiscox – Dorothy Pigg has yet to read through it. Once the board has received this document, it will be circulated to HW, SB and BW for their deliberation.

8. Biologist's Report

The WRFT biologist's report was circulated for members to read.

PC will also produce a draft response to the MPAs for WRASFB to consider supporting.

9. AOCB

i) MIAP

BW has emailed Craig MacIntyre (who has taken over the lead on MIAP from Callum Sinclair) reminding him of the promise that Callum Sinclair made to WRASFB that MIAP would be run both with and without weightings for comparison of results.

Whilst MS were very negative regarding MIAP, it is worth remembering that Marine Scotland's own locational guidance only focuses on depth of water and flow-rate and states "that additional factors will need to be considered". As MIAP supplies a number of

those additional factors that Marine Scotland suggest, it is unclear at this time why they seemed to dismiss it. If MIAP was, as asserted by some others, to be way the Scottish Government intended to expand aquaculture on the west coast of Scotland to fuel the Chinese market, one would have expected Marine Scotland to grasp MIAP with both hands and adopt it immediately. The fact that they have not, must surely cast some doubt on these assertions.

The existing locational guidelines as issued by Scottish Government Locational Guidelines for finfish farming, have every sea loch in Wester Ross as either a category 3 (Category 3 areas are defined as those “where there appear to be better prospects of satisfying environmental requirements, although the detailed circumstances will always need to be examined carefully” or, unclassified (which in reality amounts to the same as a category 3). It might be reasonable to assume therefore that Marine Scotland dismissed MIAP because it is a more robust planning tool, in relation to wild salmonids, than the current category led system. There was agreement from the board that a peer review of MIAP could further enhance its credentials and acceptability as a planning tool and this will be put to RAFTS.

ii) Aquaculture and Fisheries (Scotland) Act 2013 and its implications for WRASFB. From the date of commencement, (16th September, 2013)

- Each board has to now produce an annual report that, it is strongly recommended by the new act, contains catch return data. This information will be presented as an aggregate figure and not as individual proprietors' catches.
- A proprietors' meeting needs to be held at which the accounts and the annual report are presented.
- Once this meeting has been held, there needs to be a public open meeting at which questions or proposals for discussion can be put to the board but it should be noted, that this meeting is not a venue for resolutions to be tabled and voted on by the general public.
- The board's financial year ends on 31st March 2014. Following this date, the annual accounts and annual report will be sent to all proprietors for perusal prior to a proprietors' meeting being called to discuss them in detail. A public meeting will also be advertised for a suitable date.

iii) Outstanding Levies

A small claim court proceeding has been taken out against one proprietor's outstanding 2012-13 levy.

Once this is resolved, reminders to those proprietors who still owe 2013-14 levies will be sent out. (post meeting note, this issue is now resolved)

iv) Catch Returns

See item 9.ii bullet point one – a letter will be sent to all proprietors pointing out the new catch return requirement of the 2013 act.

v) Access to fish farms for WRFT biologist

WRASFB will continue to work on (and with) all relevant parties in order to ensure that PC can get unfettered access to fish farms without restrictions on the inspections or data transfer to the board.

Meanwhile, PC was urged to keep requesting site visits to WRF Ltd farms.

vi) Other Items Discussed

- It should be noted that DR has not received any response from RSPCA to his letter re “Freedom Food” – DR will write again and also telephone them. (post meeting note, this response was received and circulated to the board)
- DR reported that he will be helping to promote S&TA by offering reduced rates to their members for fishing on his river. Proprietors could help promote S&TA by

offering similar reductions on their rivers to S&TA members. The board will look at becoming a member of S&TA, thereby helping to promote their work and the data they collect which the board uses in planning responses?

- There is information available on individual rivers that needs to be included on our web site – PJ to liaise with JC.
- The board needs to develop community initiatives. Whilst taking account of the work done by WRFT, the board's programmes should be kept separate. There is already junior fly-fishing on the River Ewe but there is a need for further initiatives.
- FB suggested the board consider lobbying each councillor that sits on the HC planning committee? Whilst this does hold an immediate attraction, there are, undoubtedly, good reasons for avoidance of this avenue of approach. The board will invite some planning committee members to a future meeting where our concerns can be put to them.
- There is a role for WRASFB to actively lobby local community councils to ensure that they respond to aquaculture planning applications as planning departments view no reply from them as a general approval by the local community or, that they have no concerns. (This will be added to the agenda at the next meeting with highland council planners for them to issue guidance to community councils.
- The board could consider the role of the Public Petitions Committee (PPC) to present a petition before SG. If PPC decides that the petition is worth consideration it then goes to the Rural Committee.
- There was a call to invite Andrew Thin (SNH) to a board meeting.

10. Date of Next Meeting

The date of the next board meeting will be determined after the results of a date poll. The date of the annual proprietors meeting will be determined by a date poll sent to all proprietors.