

**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**  
**held at CASTLE HOTEL, HUNTLY on Thursday 8<sup>th</sup> December 2016 at 12 noon.**  
**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.

Calvert McKibbin attended as a member of the public.

**Present:** **Malcolm Hay** (B & T), **Mrs J Player** (B), **A Gordon Morison** (B), (All Upper Proprietors), **Donald Galloway** (B) (Banff & Macduff Angling Association - Lower), **Frank Henderson** (B & T) (Turriff Angling Association & Turriff Community), **Richie Miller** (B and representative of DBI Trust), **Neil Stephen** (Ghillies' Rep – DBI Trust)  
In attendance- **Mrs S D Paxton** (Clerk to Board and Administrator of DBI Trust);  
{ **B = Board member; T = Trustee or representative**}

**Chairman:** Malcolm Hay

**Apologies for Absence:** C Richard Marsden (B), Robert Shields (B & T), David Borthwick (B & T), Rory Cooper (B & T), Richard Breakell (B) (Salmon Anglers), Jim Cruickshank (T)

**Minutes of Meetings on 15<sup>th</sup> September 2016** A draft of the Minutes of the Meetings had been sent to all Members of the Board and Trust.

Mr Hay updated members on matters arising from these:

- Following the adjourned ASFB meeting in September, one had been reconvened for November. RAFTS has been abolished and now constitutes part of Fisheries Management Scotland (FMS), formed in anticipation of final legislation (2020?). Still no view of the situation of the Deveron. Spey do not favour linking up with other rivers. Funding of FMOs generally is still a big issue as large shortfall is anticipated and source of further finance is being sought. Mr Hay said that our Trust has a lot of options available – concentrate on conservation etc but in any case the Board will be disbanded sometime. ASFB did not seem to be helping us strive for independence and it was questioned whether we should continue to pay our membership. Mr Hay felt that this was inadvisable until we determine what the outcome was likely to be.
- Improvement Fund – as discussed it was agreed to transfer this to the Trust. Transfer papers have now been completed and sent off to effect this. Value of approx. £125,000
- Mr Hay had previously reported that a digital camera was to be sited at Edinglassie to monitor flooding. He has now been informed that it will not be as no funding is available.
- Hatchery –Mr Cruickshank had asked previously if anyone had any knowledge of the 'Dee Hatchery Appraisal Report. Mr Henderson reported that there had been a meeting and the conclusion was that there should not be a hatchery.

The minutes were then unanimously approved by those who had attended. The minutes have been published on the Board/Trust's website ([www.deveron.org](http://www.deveron.org)) and signed by the Chairman of the Meeting.

**Aquaculture and Fisheries (Scotland) Act 2013** Mr Hay reported that there were no changes noted to Board Members Financial Interests since 15<sup>th</sup> September 2016 as applicable to the Board. No complaints

against the Board had been received by the Clerk since the last meeting.

#### **Report by Mr Miller on DBI Trust work**

Mr Miller, had prepared a written report on the work of the Trust since the last Board Meeting and this was handed out (available on request). He went over the salient points:

- Provisional rod-catch returns show an increase over last year - 1,521 salmon and grilse, with 99 spring (Feb-May) salmon caught and 439 sea trout. 14 beats recorded brown trout totalling 528. 81% of salmon, 95% of brown trout and 96% of sea trout were returned to the river. The net stations did not operate in 2016. Several returns were still outstanding from proprietors but these figures include the results from all the larger beats.
- Invasive species project for SNH had now ceased. Hoping for some further funding but bid under original HLF is in doubt. 8 more mink had been despatched bringing the total for the season to 17 – Bridge of Marnoch, Mountblairy, near Kinnairdy Castle, Avochie are amongst locations.
- Formation of a Trust Scientific Advisory Board to assist on a voluntary basis. First meeting had taken place.
- 2017 Classification – once again a Category 1 river. Water of Philorth has been given Category 3 whereby all salmon have to be returned. Mr Hay commented that we need to query why part of our catchment has been categorised differently. Mr Miller added that Marcus Walters is currently at a meeting in Pitlochry and will be raising this matter.
- Morison Trophy winner – Mr Craig from Knaresborough with a 34lb salmon from Kinnairdy.
- The Trust had recently contacted Scottish Water in connection with their SEPA abstraction licence for the Turriff Water Treatment Works. The allowable abstraction appears to increase considerably from 1 April 2016 and it was agreed that an explanation should be obtained. Mr Miller will follow this up and inspect the abstraction points.
- Marcus Walters had joined the Trust staff wef 1 November 2016.
- New website has been designed and it is hoped that it will be more user friendly. It will link in with facebook, twitter etc. Mr Morison requested that search engines are in place to ensure that the site is easily located. This led on to a general discussion on marketing and tourism. Mr Miller displayed the new website to members. It was suggested that pages be attached which show golf, distilleries, local wild life and birds etc.

#### **Update on Financial Matters**

Mr Hay reported that the issue of VAT thresholds and registration had been drawn to his attention in regard to the Trust. While we are within limits at present, we would need to be careful not to trigger VAT liabilities going forward. He confirmed that the relationship between Board and Trust is by a 'memorandum of understanding' not a formal contract for services and hence money received by the Trust will not be standard rated. The funds passed over are by way of grant. Marcus Walters' services as bailiff to the Board would come within the VAT rules and it was suggested that the Board increases the grant to the Trust and pays a lesser amount in 'fees' – all within the budget figures agreed in July. Members present unanimously agreed this.

A new vehicle is required for the bailiff, and again for VAT purposes it would be necessary to minimise the charge from Trust to Board each month should the Trust purchase the vehicle. Mr Hay said that several options had been looked at and the most appropriate appeared to be the purchase of a vehicle by the Board

which would then be donated to the Trust (there being little point in building up Board assets prior to dissolution). The Board has funds and enough reserves to carry the cost of such a donation this year, and, in any event, it is the Board's responsibility to assume the expenses of the bailiff. Mr Morison asked what records were in place to deal with vehicle use for tax purposes i.e. travel from home to work etc. The vehicle will be needed at home in case the bailiff is called out after hours. A mileage log is to be kept and it was suggested that the employment contract should recognise that the bailiff has a variable place of work (i.e. the whole river catchment). The purchase was approved.

Mrs Paxton summarised and stated that bank balances in both organisations were healthy. Board accounts would be circulated to members after 31 December. The Trust is not showing such good results as there have been numerous one off and unexpected expenses- rent backdated, professional fees for the lease, new website, health and safety review etc, - but reserves from previous years could absorb any anticipated loss.

**Proposed Meeting Dates for 2017**

Mrs Paxton had circulated dates of – April 6, July 6, Sept 21 (AGM), Dec 7. Robert Shields will be unable to attend the AGM on the proposed date and so Mrs Paxton suggested that we schedule it for Sept 14 instead – any earlier would cause problems in finalising and publishing the Annual Report. All in agreement. Mrs Paxton will contact the Castle Hotel to make the required bookings.

**AOCB – Conservation Code**

Mr Miller had reviewed the Conservation Code and suggested that there should be the addition of 'It is illegal to sell rod caught salmon'. He will revise the Code prior to issue in 2017.

**AOCB – Subscriptions**

Mr Shields requested that a review should be made of subscriptions paid by both organisations and determine whether 'value for money'. Mr Hay advised that the subscription (based on 5 year catch average) to ASFB had been £2,384 in 2016, but was anticipating a rise to £3,272 for 2017, and recommended that this continue to be paid until the future is more certain. The membership of RAFTS (paid by the Trust) was £1,000 and at present it is not known how this will be levied via the new FMS. Other amounts paid are £577 to Fish Legal (Board), £60 to The Wild Trout Society (Board) and £1,200 to SFCC (Trust).

**AOCB – Trout Event**

Mr Miller confirmed that this will be the weekend of 6/7 May held in conjunction with The Wild Trout Trust.

**AOCB – Fund Raising**

Mr Miller intimated that the Trust holds a biennial fundraising event. The last was held at Mayen House in 2015 so proposed that another Auction be held in 2017, possibly June/ July. A suggestion was made to approach Glendronach Distillery as a possible venue – the hire of the marquee at the last event had been a major cost. Mr Morison suggested that 'fishing' lots should be obtained from other areas, not just the Deveron to add interest for our bidders.

**AOCB – Smolt Tracking Project**

Mr Miller advised that he and Mr Walters wish to build on the smolt tracking project and are investigating taking it a stage further.

**AOCB – Next meeting:**

Next Board/Trust meeting will be on Thursday 6<sup>th</sup> April 2017, Castle Hotel at 12noon.

**Meeting closed at 2.15pm**

Mr Hay thanked everyone for attending.