

**MINUTES of MEETING of THE RIVER UGIE DISTRICT SALMON
FISHERY BOARD held at Broad House, Broad Street, Peterhead on Thursday,
28th November 2013 immediately following the Annual Meeting of Qualified
Proprietors**

Present: J. Yule (Convenor)
A. Buchan for Lunar Fishing Company Limited
D. Low Mandatory for I. J. Booth
W. Stephen for Ugie Angling Association (UAA)
A. Buchan for Score Group plc
B. Davidson (Bailiff)

In Attendance: D. McLean for Bruce Milton, Clerk to the Board

MINUTES

D Low proposed that the Minutes of the last meeting be taken as read this was seconded by W Stephen.

MATTERS ARISING

Riverbank Destruction. J Yule spoke about the problems of riverbanks being destroyed by erosion and damaged by cattle entering the river. A general discussion followed on whether farmers were required to fence off buffer zones and what action SEPA should take. It was noted that in some instances the excuse that the fencing had been washed away was accepted by SEPA and no further action followed, J Yule asked that SEPA be informed of any instances of cattle straying into the river.

FINANCE

The Clerk produced a projection of income and expenditure for the 6 months up to 31st May 2014 which showed a projected bank balance at the year-end of £5659.82. It was explained that some of this would be required to cover payments to the Bailiff until income from rates was received in June/July next year. The projected figures were unanimously agreed.

HATCHERY

A Buchan (Lunar) spoke about the holding tanks for stock fish and whether these should be relocated. D Low asked who was responsible for these tanks and it was agreed this lay with the Ugie Angling Association. J Yule pointed out that whatever changes are made it is important for the hatchery work to continue as it is the most direct way to increase stocks. A Buchan (Lunar) felt the Board need to know the number of fish coming up river. To do so a fish counter should be considered and asked if it was possible to lease such a device. There was general consensus that the Board would be willing to pay for the lease of a fish counter if that could be obtained. J Yule agreed to look into acquiring a Logie counter.

LIABILITY POLICY EXCLUSIONS

D McLean advised the Board of two exclusions that apply to the Combined Liability policy held by the Board: Work away exclusion and Watercraft Exclusion.

Work away exclusion states **this policy does not indemnify the insured in respect of any claims arising in connection with any manual work away from his premises by the insured or his employees or labour only sub-contractors.** The insurance manager has confirmed that (a) our bailiff would be classed as a labour only sub-contractor and (b) Premises covers the entire River Ugie. One aspect of this is that if the Bailiff, under instruction from this Board, were to assist with work at a neighbouring Board then we would not be covered in the event of any claim.

Watercraft exclusion states **this policy does not indemnify the insured in respect of any claim arising out of the ownership or use of any watercraft.** Although the Board do not own watercraft, if the Bailiff or any voluntary helper is involved with watercraft e.g. assisting with scientific research or anti-poaching measures then we would not be covered in the event of any claim.

AQUACULTURE and FISHERIES (SCOTLAND) ACT 2013

The Convenor referred to the Code of Good Practice prepared by the Association of Salmon Fishery Boards which was discussed at the last Board Meeting. At that time the Board was cautious about entering into an agreement for which we did not have the staff or financial budget to comply and it was decided then to leave that matter in abeyance until the new fisheries act was finalised. The Convenor also noted that this Board had a good record of giving fair and equal treatment to both salmon netsmen and anglers and he hoped this co-existence would continue. The Clerk was asked to give a summary of the pertinent aspects of the new act which are as follows: -

Aquaculture & Fisheries (Scotland) Act 2013 effective from 16th September 2013. **Annual Report and Statement of Accounts** must be published and a copy sent to the Scottish Government.

Annual Report must state

- (a) What the Board have done in carrying out their statutory functions during the year to which the report relates.
- (b) A summary of what the Board propose to do in carrying out those functions in the following year.
- (c) Information about any complaints made to the Board
- (d) Statement as to how the Board have complied during the year with good governance requirements and what the Board propose to do to comply with those requirements in the following year.

ASFB have given examples on what could be included in such reports.

Annual Proprietors Meeting must give 21 days' notice and within that notice state

- (a) Specify date and time of meeting and location
- (b) List matters to be discussed
- (c) State meeting is open to the public.

Annual Public Meeting must give 21 days' notice and within that notice state

- (d) Specify date and time of meeting and location
- (e) List matters to be discussed
- (f) State meeting is open to the public.
- (g) State how members of the public can submit proposals for consideration.
- (h) Board must publish the notice in such manner as the Clerk considers appropriate.
- (i) Send a copy of Notice to the Scottish Government.
- (j) At the meeting the Board must ensure public are given opportunity to speak
- (k) Minutes to be published as Clerk deems necessary and copy sent to Scottish Government.

Board Meetings are now open to the public but can be conducted in private only if there is a good reason for doing so. Board must state that reason and include it in the minutes. Such exceptions may be consideration of wages, deployment of bailiffs, or detailed discussion of enforcement operations.

Complaints Procedure to be established and a copy sent to Scottish Government.

Declaration of Interest and register to be maintained by Clerk in respect of all Board members and staff.

There is now a statutory good governance obligation on all District Salmon Fishery Boards to enhance openness, transparency, and accountability. The Board were asked if we should now agree to the ASFB Code of Good Practice and whether we should also have a website to allow public access of information as required under the new Act. It was unanimously agreed the Clerk should confirm acceptance of the Code of Good Practice within the financial constraints of the Board. Also the Clerk was to ascertain what assistance was available from ASFB regarding a website and thereafter liaise with the Convenor.

NEXT MEETING

The next meeting would be the Annual Public Meeting in terms of the aforementioned Act and this was set for Thursday 15th May, 2014 at 2.30 p.m. and this would be immediately followed by a Board Meeting

There being no further business the meeting closed at 5.30 p.m.

A handwritten signature in black ink, appearing to read "Joseph Yule". The signature is written in a cursive style with a long, sweeping vertical stroke on the left side.

Joseph Yule
Convenor