

Fisheries Management Scotland Board Meeting

Minutes

22 February 2017



Present

Alister Jack (Chair)

Alison Baker

Mark Bilsby

Chris Conroy

Alasdair Laing

Simon McKelvey

David Summers

Bill Whyte

In attendance

Alan Wells, Chief Executive

Brian Davidson, Director of Communications & Administration

Apologies for absence

Mary Nicholson

1. Welcome & election of Chair

AL welcomed all to the new Board, and looked forward to working with everyone in the new structure. AL indicated that he did not intend to put himself forward as Chairman of Fisheries Management Scotland. AL underlined the need for the new appointment to have the full confidence of the board, membership and executive and proposed AJ as the Chairman. The Board were unanimous in appointing AJ as Chairman and the position was duly taken up. On behalf of the Board, AJ expressed thanks to AL and Andrew Wallace for dedicating a significant amount of time and energy in steering ASFB and RAFTS through some very challenging times.

2. Housekeeping – publication of minutes

Whilst there was no legal obligation to do so, the Board agreed that it would be appropriate, in the interests of openness and transparency, to publish approved minutes on the website, broadly following obligations of DSFBs. It was agreed that the minutes be approved by correspondence within 7 days of receipt of the draft, and that no response within that period would signify approval.

It was agreed to circulate contact details of the board members to all on the board. Action BD/AW

3. **Appointments to Board**

Appointments to the Board were discussed. It was emphasised that the appointment process was created to allow the organisation to ensure that the Board has the correct balance of expertise, geographical representation and a balance between professional managers, board members and trustees. The importance of achieving an appropriate balance was agreed and was considered during the discussion. **It was agreed that Douglas Dobie, Roger Brook and Brian Doran would be invited to join the Board.** Action: Chairman/AW

4. **SFCC – Employment of Manager**

The future of the Scottish Fisheries Coordination Centre (SFCC) was discussed. The SFCC manager is an employee of RAFTS – an arrangement that cannot continue beyond March. James Hunt (SFCC Chairman) contacted Fisheries Management Scotland to formally request that the employment responsibility is transferred to Fisheries Management Scotland from the 1st April 2017.

Having taken legal advice on this issue, the Board considered two options:

1. A continuation of the current arrangement, whereby the Manager's employment is transferred to Fisheries Management Scotland. Fisheries Management Scotland would inherit the contract of employment, make arrangements to pay the salary and for SFCC to transfer the appropriate finance to Fisheries Management Scotland.
2. The functions of the two organisations to merge, with SFCC becoming a formal committee of Fisheries Management Scotland. Fisheries Management Scotland would be left with a simple 'employer-employee' relationship with the manager (unlike the alternative triangulated relationship). Under this scenario, Fisheries Management Scotland would also inherit all assets and liabilities of SFCC.

It was emphasised that Fisheries Management Scotland is about good fisheries management based on sound evidence. The Board recognised the important contribution that SFCC makes to evidence-based fisheries management and felt that there was considerable synergy between the two organisations. The vital importance of ensuring that the manager's employment was secured was recognised, as was the need to retain the identity and 'brand' that has been established by SFCC. However, the Board felt that there were risks associated with taking on the liability of employing an additional member of staff, without also having a degree of security, particularly in relation to financial considerations.

The Board felt that this could be best achieved by SFCC becoming part of Fisheries Management Scotland, and felt that this was the only option that could ultimately be taken forward. The Board felt that this would give SFCC and Fisheries Management Scotland more security, would neatly capture all legal and employment obligations and would present advantages for both organisations. The Board also recognised that SFCC would need some assurance that its role and status would be preserved if SFCC became part of Fisheries Management Scotland. The Board was also conscious of not wishing to place SFCC under undue pressure to make a swift decision. Therefore, in order to allow SFCC to fully consult

with their membership and consider other options, it was suggested that the SFCC should be given a three-month period (until 31 May 2017) to decide the best way forward. In the meantime, Fisheries Management Scotland would ensure that the manager's employment was secured, under a TUPE transfer between RAFTS and Fisheries Management Scotland.

5. Update on Wild Fisheries Reform

The Board discussed the key outcomes of the recent ministerial announcement on wild fisheries reform. Ministers have now ruled out any scope for a rod licence, levy for other species and legal protection for other freshwater fish. This decision was based on lack of financial resources, and the Board recognised with some frustration that this was the key issue for any new system and had been flagged up at the outset. This also means that there will be no legislation enabling and supporting the formation of new fisheries management organisations. Notwithstanding the much-reduced ambition of the proposals, new legislation will be taken forward and there will be an opportunity to provide enabling powers for future developments. It was recognised that it is too early to draw any firm conclusions beyond this.

It was agreed that the sector should now take the opportunity to regroup and assess its priorities for the new legislation. The Board agreed that future priorities should be influenced by membership and this would provide an opportunity to get back to first principles as to what needs to be done and how can it be done most effectively. This would be a theme for discussion at the members' meeting in March.

6. Constitution of Fisheries Management Scotland

Given the unincorporated nature of Fisheries Management Scotland and associated risks with liability, assets and employment, it was agreed that it is a priority to ensure Fisheries Management Scotland is established on a firmer legal basis, and transfer of its structure to a company limited by guarantee would be taken forward. **Action: AW/BD**

7. Work Plan

The Board noted the work plan and there were no substantive comments. Devolvement of business to relevant committees would be a matter for the Board and this would be discussed further and based on agreed priorities. Summaries of the developing Communications Strategy and Advocacy Strategy were discussed and will be developed further ensuring that channels for two-way communication between Fisheries Management Scotland and its members are fully incorporated. **Action AW**

The new [website](#) was presented and this will be launched on 23 February. The conference and annual review are in the final stages of planning and are broadly following a similar model to previous year. It was agreed to look at the design and delivery of these afresh for 2018. The Board agreed that it would be useful to consider an overall strategic statement to set out what Fisheries Management Scotland is about, and to extend its reach and exposure to other audiences and groups – particularly the angling community.

8. Finance procedures and monthly updates

The Board approved the finance procedures paper, subject to adjusting the approval requirement for spend over 2.5K to approval by 2 Board members.

9. Members Meeting

The members meeting will take place on 28th March and it was agreed to structure the meeting around two main themes: Understanding members' views and priorities on wild fisheries reform to inform how we take this forward with Government; and scoping members' wider priorities – this would be based on the responses from members to the annual survey, and a workshop structure would be developed to manage this process.

10. Date of 2017 Meetings

28 March, 28 June & early November (November date to be confirmed)

11. AOB

Bailiffs Conference – BD reported that the final stages of the conference were planned and it would take place on 7/8 March. A wide range of speakers had been confirmed, and a keynote speaker would be the Chief Constable Phil Gormley who heads Police Scotland.

Wider Catchment management – AB provided a short update on a recent exploratory discussion about how members' ambitions to undertake wider catchment management work might be realised. It was noted by the Board that many Trusts and DSFBs are engaged in this type of work and further thought should be given as to how this might be supported.