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Shona Turnbull  
Highland Council Planning Department  
Glenurquhart Road  
Inverness

15<sup>th</sup> May 2018

**Planning Reference: 18/01202/S42**

**Application under Section 42 to remove condition 2 of Planning permission 06/00473/FULSU - Temporary permission for 10 years expiring on 15/12/2018**

Dear Ms Turnbull,

Fisheries Management Scotland are the representative body for the District Salmon Fishery Boards and Fishery Trusts in Scotland. We work closely with Scottish Government, Agencies, Crown Estate Scotland and the aquaculture industry to ensure that wild salmonid fish are protected from the environmental effects of aquaculture. District Salmon Fishery Boards are statutory consultees in the aquaculture planning process. Fisheries Trusts undertake annual monitoring of wild fish, in order to understand and quantify impacts.

I am writing in relation to the above application under Section 42. The Kyle of Sutherland District Salmon Fishery Board has responded to this application and Fisheries Management Scotland fully endorses that response. Fisheries Management Scotland **objects** to the proposal to remove condition 2 of planning permission 06/00473/FULSU:

*Permission, in so far as it relates to the floating cage installation for rearing of salmon smolt within the area indicated and defined on plan 1 docketed to this permission, is granted for a period of ten years only, at the expiration of which all cages, moorings and any ancillary material within the site shall have been removed from the site, unless application is made for renewal.*

Fisheries Management Scotland, and previously the Association of Salmon Fishery Boards, have significant concerns about the sustainability of smolt production in Loch Shin. We have been working with the Kyle of Sutherland DSFB to highlight these concerns to Marine Scotland Policy, Marine Scotland Science, Fish Health Inspectorate and Highland Council planning officers since 2011. As the Kyle of Sutherland DSFB highlighted in their response, ongoing monitoring since 2011 has identified salmon of farmed origin in every year from 2011 to 2016 and again in 2018. During this period, there were no reported escapes – the only reported escape on Loch Shin occurred in 2001. Since two companies (Migdale Smolts Ltd. and Scottish Sea Farms - now Cooke Aquaculture) operate on Loch Shin, it has been extremely challenging to definitively establish the source of these fish. However, in 2016 the Fish Health Inspectorate collected samples during the wild smolt migration period and these fish were genetically screened by Marine Scotland Science to establish the source of these fish. This work identified both operators as the source of escapes. The next phase will be to establish whether these

escapes have impacted wild populations through genetic introgression, and the Kyle of Sutherland DSFB are now working with the Rivers and Lochs Institute, University of the Highlands and Islands, to assess this. It is clear that unreported escapes are a common and ongoing occurrence in the Loch Shin catchment and that fish containment is wholly inadequate. The potential for impact on wild salmonid population is well established – the Norwegian Government have identified escapes from aquaculture as the single biggest threat to Atlantic salmon stocks in Norway.

We would also draw the attention of Highland Council to condition 5 of planning permission 06/00473/FULSU, which places a requirement on the applicant to *enter into a formal and ongoing monitoring arrangement to be approved, in writing, by the Planning Authority, in consultation with SEPA, and any other Agency deemed by the Planning Authority to have a relevant interest.* In particular, we note the requirement to monitor *native fish stocks within the loch system, including structural changes within the population of wild fish.* We are not aware of any such monitoring having been undertaken by the operator. Assuming that such monitoring has not been undertaken, which would be a breach of planning permission, we seek urgent clarification from Highland Council as to the current status of the existing planning permission.

Given the concerns outlined above, we believe that if Migdale Smolts Ltd wish to continue to operate on Loch Shin, a full planning application, including an EIA should be required. Should Highland Council elect to grant the request for removal of planning condition 2, and we reiterate our objection to this course of action, we would expect to see full implementation of the requirements outlined under condition 5. We consider it critical that Highland Council proactively monitors and enforces this condition. We see a clear parallel between condition 5 and the Environmental Management Plans which are increasingly a feature of planning conditions for fish farms in the sea. The success or otherwise of such EMPs is entirely dependent on adequate monitoring and enforcement. In the light of the expertise developed by the Kyle of Sutherland DSFB over the last decade, it is vital that the Board is fully involved in developing and delivering such monitoring.

Please do not hesitate to contact me if you require any clarification on the points raised above.

Yours sincerely



Dr Alan Wells  
Chief Executive – Fisheries Management Scotland