

Fisheries Management Scotland Board Meeting

Minutes

28 June 2017



Present

Alasdair Laing (in the Chair)
Alison Baker
Mark Bilsby
Douglas Dobie
Brian Doran (part meeting)
Simon McKelvey
Mary Nicholson
David Summers
Bill Whyte

In attendance

Alan Wells, Chief Executive
Brian Davidson, Director of Communications & Administration

Apologies for absence

Roger Brook
Chris Conroy
Alister Jack

1. Chairmanship/Update from Alister Jack

Alasdair Laing took the Chair for this meeting on the request of Alister Jack. Alister Jack was elected as MP for Dumfries and Galloway. There would appear to be no political reasons why Alister Jack would not be able to continue to Chair Fisheries Management Scotland, assuming that time constraints do not preclude this. The Board supported Alister Jack's continuation as Chair, and acknowledged that the vast majority of issues of importance to the freshwater fisheries sector are devolved to the Scottish Parliament. It was felt that there should be no conflicts of interest for routine business, but should there be any conflicts, these would be declared through the agreed process and managed appropriately.

2. Matters arising

Work Plan - The Fisheries Management Scotland Workplan was updated following the Members' Meeting, with the addition of a prioritisation of work areas. It was agreed that the workplan should remain consistent with the overall aims of Fisheries Management Scotland, but that there should also be flexibility to deal with new or changing circumstances. It was agreed that the overall strategy

for the organisation should be clearly stated and published on the website in order that members and external stakeholders can understand the context for the workplan. In addition to the workplan, a policy activities grid was circulated, which sets out the policy areas, key issues, desired outcomes and FMS actions – this will be developed further – the Board agreed it will be an excellent resource.

ACTIONS:

AW to draft short mission statement for circulation to Board

AW to further develop the policy activities grid

Governance policies - The staff manual and associated governance policies had been developed, and subsequently reviewed by Alasdair Laing and Chris Conroy on behalf of the Board. It was agreed that this was an excellent document, and a few minor additions were proposed. It was agreed to review/compare with similar documents in the network, and then to circulate to the Board for formal sign up.

ACTIONS:

BD to adjust and review against other examples

BD to circulate to the Board for final sign-off

Conflict of Interest - The conflict of interest statement and associated register of interests forms part of the wider suite of governance documents and was reviewed as above. It was agreed that this should now be circulated to the Board members for completion and return. It was agreed that this should be a standing agenda item for future Board meetings.

ACTION:

BD to circulate declaration and statement to Board members.

Meeting with Cabinet Secretary - The proposed meeting of Alister Jack and Alan Wells with the Cabinet Secretary has been postponed, and will take place later in 2017. In the meantime, Alan Wells will meet with the Director of Marine Scotland – this will be a useful precursor to the rescheduled meeting with the Cabinet Secretary.

Cashflow report - The Board were content with the format of the report. It was agreed, on the basis that SFCC has a distinct funding stream, to present the SFCC cashflow separately to ensure the reporting is accurate and distinct from Fisheries Management Scotland funds. It was agreed to show a simple SFCC income and expenditure figure in the main FMS cashflow for information purposes.

ACTION:

BD to organise necessary adjustments through the accountants

3. Constitution of Fisheries Management Scotland as a Company Limited by Guarantee

The Board agreed at the last meeting to reduce the risks and liabilities on Fisheries Management Scotland (which is presently unincorporated) by seeking incorporation as a company limited by guarantee. This will provide a formal legal identity for the organisation, and better protect the Board members, staff and other interests in the organisation. A draft constitution, in the appropriate format for Companies House, has been prepared by Fishlegal with the aim of retaining the core elements of the existing constitution. The Board agreed to look at the draft in detail and provide

comments by the end of July. The draft would then be circulated to the membership for views in advance of the AGM, with a view to seeking members' agreement at the AGM in November.

ACTIONS:

Board members to consider the draft constitution and provide views by 31 July.

4. Wild Fisheries Reform – developing the Fisheries Management Scotland Position and Strategy

Whilst the ambitions of the reform process had been reduced, legislation is still planned before the next Scottish Parliamentary elections. The Board agreed that Fisheries Management Scotland needs to be on the front foot in influencing such legislation, taking into account the views of the membership, for the benefit of fisheries management. The following key elements of the reform process were discussed in detail:

Finance – Funding fisheries management remains the key challenge and it was recognised by the Board that additional sources of funding are crucial. Without such funding, it is unlikely that the ambitions of the reform process will be realised. It was recognised that amalgamation of areas/districts may result in savings in some circumstances, but not in all cases. Fisheries Management Scotland will explore other funding opportunities – e.g. funding from industry, Crown Estate and existing and new sources of public funding.

Fisheries Management Planning – This remains a key element of the reform process for the Scottish Government and it was recognised that the views of the membership vary on this issue, with finance being a key factor. However, the principle of fisheries management planning is well understood and supported in the sector. It was also recognised that it may be advantageous to have a 'duty' to *prepare* plans as this would result in wider 'buy-in' to the process from Government and Agencies. However, the vital importance of plan ownership remaining at a local, rather than a national level was emphasised. It was also recognised that any duty on *delivery* should be resisted, as many limiting factors on fish are out with the control of DSFBs, but it is important to use the planning process to highlight these to Government and Agencies. Overall, the principle of identifying limiting factors on fish production (including those outside the remit of DSFBs) and prioritising management actions to address these in a consistent format was endorsed. It was emphasised that any such local management actions need to be realistic and deliverable. It was agreed that it is important for Fisheries Management Scotland and our members to lead and take ownership of this work.

Enforcement – it was emphasised that responsibility for employment and management of water bailiffs will remain with the Boards. There has been support within the network for a national process for issuing warrants to bailiffs, however this is not universal. It was agreed that there is some merit in a national warranting system and that it should be considered further with members. The new Fisheries Management Scotland Enforcement Committee would facilitate this discussion.

Close times etc – The Board agreed that, following the discussion at the Members' Meeting, it would be sensible to explore further the principle of relaxing the Sunday fishing prohibition for rod fisheries. This would be without prejudice to existing arrangements and without imposing additional burdens on fisheries who might not wish to take advantage of this. It was also felt sensible to suggest changes to the current system of close times in order that close times are set according to method of fishing.

Licensing – It was agreed that the current provisions for licensing/exempting certain management activities are unnecessarily complex. DSFBs may permit certain activities for management/science purposes at certain times of year and Scottish Ministers may permit other actions. The Board supported the need for a clearly understood and simplified consenting framework with a clearly defined formal role for local fishery management.

Angling/fisheries Development – It was agreed that angling and fisheries development should be one of the priorities of Fisheries Management Scotland, and that funding opportunities to support and develop this within the network would need to be explored as this would not be possible within the current budget. The concept of facilitating some local, ring-fenced funding from online sales of fishing would be explored as a possible means of supporting angling development work.

Catch data – Work is underway within Scottish Government to rationalise the catch data system so that there is a single, online repository for data. The Board supported this approach which will improve the speed and efficiency at which catch data is collected, stored and accessed.

Local management- It was agreed that the once the sector has reached a conclusion on the elements of wild fisheries reform that we wish to prioritise, that would be the appropriate time to consider further the size, number and constitution of local structures required to deliver on this. The Scottish Government is meeting with some existing bodies with a view to facilitating and encouraging amalgamations. Fisheries Management Scotland would support our members in this process, but it was also recognised that in some cases simply amalgamating small, underfunded areas into a larger underfunded area may not achieve benefits at a local level.

ACTIONS:

AW and BD to continue to engage with the membership and Scottish Government on Wild Fisheries Reform.

AW and BD to consider further how to take forward discussions with, and support of, members on the issue of locally-driven amalgamations.

AW to develop a FMP template which meets the needs of Fisheries Management Scotland members.

5. Proposed Committees

The Board were content that some of the key business of Fisheries Management Scotland would be informed by specific committees – these are set out below.

- Scottish Fisheries Coordination Centre – to manage the SFCC business within the FMS structure.
- Salmon Farming – already established.
- Enforcement – agreed to establish.
- Finance/Project coordination – it was agreed that this is a vital area of work for Fisheries Management Scotland and further consideration of this will be prioritised.
- Predation – it was agreed that this is an important issue, but opportunities to develop policy out with a formal committee would be explored.

It was suggested that there might be a need for a 'liaison committee' to facilitate better engagement with industries which impact on fisheries. This would be considered further. The terms of Reference and initial membership of these committees will be published on the website in due course.

6. Wider Catchment Management – update from Alison Baker

Alison Baker had recently met with a variety of interests, including SNH and SEPA to discuss wider catchment management matters. From these discussions, it was apparent that there is significant support for such work being taken forward by wider catchment fora, but perhaps less enthusiasm for this type of work being delivered by the DSFB/Trust structure in isolation. There is a role for Fisheries Management Scotland (and the Scottish Government, given the announcement on WFR in February) is persuading public bodies to recognise and value the important role that DSFBs and Trusts can and do play in maintaining and improving the aquatic environment.

7. Update on NASCO

Alan Wells circulated a [report](#) on the outcomes from the recent NASCO Conference in Sweden. It was agreed that there is value in continued attendance.

8. Insurance Provision

The Board agreed to enhance the insurance requirements, in light of new requirements for cover based around training and events, and also the recent inclusion of SFCC within FMS.

ACTION:

BD to take forward.

9. Date of AGM – it was agreed to alter the date for the AGM to Friday 10 November. The AGM will take place at Birnam Arts Centre.