

Fisheries Management Scotland

Meeting of Directors – Minutes

30 March 2023

Aviemore

Present

Richard Sankey (Chairman)
Alison Baker
Roger Brook
Peter Landale
Alastair Laing

Alexa MacAuslan
Jamie Ribbens
Alexander Scott
Jamie Stewart

In attendance

Alan Wells
Brian Davidson

1. Apologies for absence and welcome to new directors

Apologies were received from Lorraine Hawkins and David Summers.

2. Declaration of Interests

The register of interest was circulated prior to the meeting – no additions or amendments were required.

3. Actions arising from the January Board meeting

The following updates were provided on specific action points:

- **Update register of interests** – completed.
- **Directors to complete the skills register and consider the risk register** – Most directors have completed the skills register and considered the risk register.
- **Nominations Committee to meet and consider the vacancy for a director** – an update is provided under item 5.
- **Delivery of national projects and supporting FMS members** – completed.
- **Directors to consider the 2023 FMS Priorities paper further and feedback within 14 days** – completed.

4. Scottish Government – ministerial re-shuffle

AW provided an update. Humza Yousef has been elected as the new leader of the MSP and has now been sworn in as First Minister. The cabinet and ministerial team were announced on 29 March, and the key points are as follows:

- **Mairi Gougeon** is now Cabinet Secretary for Rural Affairs, Land Reform and Islands. The inclusion of land reform is a new area for this Cabinet position.
- **Màiri McAllan** is promoted to Cabinet Secretary for Net Zero and Just Transition. Her previous ministerial position has not been directly replaced. A more detailed breakdown of ministerial responsibilities will be published soon.

It was felt that the outcome will mean continuity at Cabinet Secretary level and will consolidate the already good working relationship Fisheries Management Scotland has with both Cabinet Secretaries.

5. Nominations Committee - Update from Sandy Scott

Sandy Scott provided an update on the recent conclusions reached by the nominations committee and summarised in paper 5.1. The terms of reference had been agreed and allowed the committee to make recommendations to the Board, and for these to be tabled with the membership for final approval. The development of the skills register had been a useful process and had highlighted the need to consider further skillsets that would benefit the Board – these were science, fish farming (West Coast) and legal expertise.

Consideration had been given to the role of the Chair and this was set out in a draft job description. Draft changes to the articles were proposed and the board agreed that these should be discussed at the regional members meetings over the summer, in advance of formal agreement at the AGM. An important element for rotation of directors was raised – a mechanism will be considered to ensure that directors step down at staggered intervals, to ensure that the Board does not lose too much expertise at once. Part of this process might include a provision to extend terms for up to two years, if appropriate.

A potential candidate has been identified to fill the existing appointed vacancy on the Board. The board agreed that the individual should be approached with a view to becoming a Director of FMS. **ACTION: AW**

6. Recruitment Update

AW reported that following a recruitment process, Fisheries Management Scotland have successfully recruited a new Director for Nature Finance. The candidate has a sound track record of managing large-scale European projects, has worked on the Scottish Biodiversity strategy and has direct experience in developing thinking on green finance. **ACTION: AW**

7. Health and Safety Update

BD reported that Greens of Haddington are in the process of reviewing the H&S policies and have made some adjustments to the documentation on protocols, guidance and risk assessments. No fundamental concerns have been raised in this process, but the documents still require to be fully reviewed by staff and signed off. Greens did raise an important point about engaging with contractors and undertaking due diligence before contracting. This prompted some dialogue with the legal adviser about the nature of our relationship with our members who undertake grant funded work. The advice given suggests that our members are not contractors for this purpose, but that a refined process should be adopted as part of the process for delivering grant-funded work. This should include:

- confirmation that they have carried out a Health and Safety assessment;
- that the H&S method statements/equipment are in place;
- the name of H&S officer and confirmation of insurance and copy policies.

It was agreed that it would be useful to frame the context of this advice for members and share it with the network. **ACTION: BD**

8. Staff Updates

8.1 Green Finance: Facility for Investment Ready Nature in Scotland - expression of interest

AW provided an update on the work with NatureScot to maximise opportunities for private finance in protecting and restoring river catchments. PL and AW have been working on proposals for a River Catchment Restoration Fund, modelled on the Scottish Marine Environmental Enhancement Fund (SMEEF). Working with NatureScot, Marine Scotland and Crown Estate Scotland FMS will take the lead on an application to the Facility for Investment Ready Nature in Scotland (FIRNS) with the purpose of:

- Developing a robust plan for its longer-term structure and status of SMEEF:
- Development of a similar fund to target investment on river and catchment restoration work.
- Exploring options for these two funds to evolve together, with a strong overarching legal and governance framework, streamlined running costs, and the potential to access new market-based mechanisms. This will potentially also allow 'Source to Sea' enhancement projects to be funded.

PL will announce this work at the conference on 31 March. The key aim will be to look at how all eligible funds for restoration work can share similar governance and management structures. A significant strength of the FMS network is that FMS members cover whole catchments, and any schemes will need to cover all catchment scenarios in Scotland – whether large rivers or small.

The Board congratulated AW and PL on the work to date, and recognised the huge potential such funding will bring to achieving meaningful positive change for Scotland's river catchments. The meaning of the word 'catchment' was discussed, with one concern being that very small catchments might not fit the scale criteria being discussed (particularly on the West coast). Reassurance was provided that any scheme would need to cover all river catchment scenarios in Scotland – whether large or small.

8.2 Wild Salmon Strategy Delivery Group

AW reported that the group met in March to agree the terms of reference, sub-group composition and workstreams. It is expected that further work will progress quickly, now that the new cabinet is in place. It was noted that SEPA have responsibility for a large proportion of the strategy objectives and it was felt that the delivery group would be an important mechanism to discuss and evaluate progress in prioritising actions which benefit fish and fish habitat.

8.3 Aquaculture

In CM's absence, AW provided an update. A further consultation on the SEPA Sea lice risk assessment framework is expected to be published in April. We also expect work to deliver the Salmon Interactions Working Group recommendations on escapes to be progressed in the coming months. Crown Estate Scotland have confirmed that they will support the Aquaculture Interactions Manager post for a further three years. The Board welcomed this decision, which will provide continuity and resource to continue our work on aquaculture interactions.

AW also provided an update on a consultation on measures for highly protected marine areas – CM is developing a response, and this will be shared with the Board in advance of circulation to members for their comment and use.

8.4 SFCC

In SD's absence, AW provided an update on SFCC activities. Phase 1 of the Fisheries Management Planning Project, supported by Crown Estate Scotland and Marine Scotland, has been completed and all deliverables and a funding claim submitted by the deadline of 31 March. This has been a considerable undertaking for SD which has taken several months to co-ordinate and finalise. During this period, SD has also delivered a several training courses in collaboration with other partners.

8.5 Enforcement

BD provided an update on enforcement. An impact statement on fish poaching has been finalised to help add broader context to the significance of this activity for fish stocks. This will provide the Crown Office (COPFS) with a range of information to allow fiscals to ensure that the broad context of fish crime is recognised in court. COPFS have agreed to circulate this to procurator fiscals for use in fish poaching cases.

BD also highlighted that representatives from both COPFS and Police Scotland will be attending the annual conference on 31 March.

9. Communications

The Chairman gave an overview of the key communications projects delivered by staff for the past quarter, including planning for the annual conference and the 2023 Annual Review, which will be circulated to delegates at the conference on 31 March. It was reported that over 120 people have registered for the conference and the event will be a valuable opportunity to consider the challenges and solutions in delivering large-scale restoration activity, with our members and other stakeholders.

10. Financial Reports

The financial reports to the end of February were circulated prior to the Board meeting – there were no comments.

11. AOB

None.

12. Staff salaries review 2023-24

The staff left the room and the Board considered the proposals for staff remuneration in private. The outcome would be reported to staff in due course. **ACTION: Chair**

2023 Meetings 21 June, 13 September