

Wild Fisheries Reform
Stakeholder Reference Group

13th August 2015

Minutes

Attending

Dr Aileen McLeod (Minister for Environment, Climate Change and Land Reform)

Willie Cowan (Scottish Government) - Chair

Andrew Henderson (Scottish Government)

Alan Wells (Scottish Government)

Amanda Chisholm (Scottish Government)

Jeff Gibbons (Scottish Government)

Mark Bilsby (ASFB)

Simon McKelvey (IFM)

Chris Horrill (RAFTS)

Craig Campbell (SANA)

Ron Woods (SFCA)

Duncan Fergusson (SGA)

George Pullar (SNFAS)

Alister Jack (Representative of fishery proprietors)

Apologies

Jonathan Swift (ASSF)

Welcome and Introductions

Willie Cowan welcomed everyone to the meeting and introduced Alister Jack.

Dr McLeod noted the challenge and size of the reform project but also the significant rewards if we collectively get this right. The drivers for reform are to ensure that Scotland has a modern, evidence-led management system, moves to a system which covers all species and ensures that our structures are fully compliant with our International obligations. The consultation exercise has provided us with a great deal of important feedback which will be analysed in the coming weeks, but two particular themes are already apparent:

- The importance of ensuring an appropriate balance between national and local functions, and avoiding centralisation.
- Getting the funding arrangements right

Dr McLeod thanked the members of the group for their engagement with the wild fisheries reform process to date and noted the importance of the group as we develop our proposals for reform.

During the subsequent discussion a number of issues were raised by members of the group including:

- Significant concern about the weekly close time. Netting representatives stated that this is not compatible with health and safety obligations for net fisheries, and should be removed in the light of the kill licence proposals. Netting interests requested that Scottish Government undertake an assessment to determine whether there is a reasonable justification to retain the weekly close time. Others favoured the retention of the weekly close time for the conservation of fish and interests of workers in the rod fishery.
- Members emphasised their general support for an 'angler contribution' towards financing fisheries management. It was noted that the term 'rod licence' could prove problematic in Scotland, but the underlying concept of a contribution to management of the resource is sound. Ensuring that all money raised was ring-fenced for investment back into fisheries management would be an important aspect of any scheme.
- There is a need to understand the scale of the future management areas, in order to plan around existing recruitment issues - finance is the key to this. It was noted that people on the ground are worried about ensuring future job security.
- It was noted that the reform process is as much about Government and its agencies ensuring that they do better to support the fishery management system as it is about local management.
- A key issue is the fishery management planning process. It was felt that it would be useful to develop a template fishery management plan for FMOs, which would feed back into the development of the National Strategy.

Feedback on the consultation process

The Wild Fisheries Reform Team held 35 meetings with stakeholders during the consultation period, including 9 drop-in events. Approximately 350 people attended the drop-in events in total. In addition, approximately 200 formal consultation responses have been received to date. A number of themes came up consistently at the drop-in events, as highlighted by the Minister above. On finance, a number of key messages were apparent:

- concern that additional costs would drive anglers away from the sport to the detriment of angling clubs and local management organisations, including volunteer participation.
- a view that there was not sufficient finance within the system at the moment and that new funding streams were vital, particularly in the event of a move to an all-species remit.
- concern about the proposals to collect levy monies centrally and redistribute a portion of them to other areas.

In addition, the Kill Licence proposals were discussed at length during many of the meetings, particularly aspects of how the scheme might operate in practice, including issues such as the distribution and cost of the associated tags.

A number of issues were raised during the subsequent discussion of the SRG:

- Concerns were expressed in relation to the impact of the kill licence proposals and in particular the proposed prohibition on killing salmon outside estuary limits.

- It was noted that some of the concern relating to additional cost may relate to an assumption that any rod licence system in Scotland (officials reminded the group that current SG policy is for there not to be a rod licence) would be very similar to the system which operates in England and Wales, including the cost. However, if there was an angler contribution to management, set at a more modest cost, there was a view that people would be prepared to pay if they had confidence that it would go towards making fishing better.
- The lack of juniors coming into the sport was identified as a key issue and something that could be helped by the addition of new funds. It was noted that funding currently directed towards angling development has been skewed towards competition fishing, and that the priority should be greater overall participation.

Next steps in the Wild Fisheries Reform process

Development of a draft National Strategy

- It was agreed that a new group should inform the development of the draft strategy, with clear lines of communication, and some shared membership, with the SRG.
- The membership of the group was discussed and a suggested membership and draft outline will be circulated to the group. **ACTION JG**
- In developing the strategy, the group should not lose sight of previous work, including those elements of the Strategic Framework for Scottish Freshwater Fisheries (published 2008) which may still be relevant.
- The core functions of fishery management identified by the SRG should also inform the national strategy.

Development of draft legislation

- Scottish Government are in the early stages of analysing the consultation responses.
- The timescale for developing a draft bill by early 2016 is tight and, in order to make best use of the time available, we need to begin the process of deciding what provisions should be in the draft bill for the purpose of informing the next phase of consultation, and whether there might be some “more routine” provisions that could be covered in accompanying documentation at this stage, albeit with the intention that they feature in the full final Bill.
- There was some discussion about what elements the sector might “need to see” in the draft Bill as opposed to accompanying documents. A number of key issues were identified, including the Ministerial duties and powers, the constitution and functions of FMOs and the relationship between these and the national strategy.
- It was noted that, regardless of what may or may not be included in the draft bill, that a clear narrative is required to accompany the bill to ensure that stakeholders understand the bigger picture.

Development of training and CPD

- IFM provided an update on the process of developing a programme of training and continuous professional development for the sector.

- To date, a number of core roles have been identified, along with the knowledge, skills and tasks associated with such roles.
- The next stage is to circulate this information for comment around the SRG and then other groups within the sector, to ensure that all the necessary skills and tasks have been captured. **ACTION SM**
- IFM will then identify suitable courses/training materials where these exist and help to develop new courses/training materials where they don't.
- Some of these roles will require individuals to demonstrate competence, as already occurs for bailiff training and electrofishing – other aspects may not require this.
- It was agreed that the programme should cover all roles within the sector, including the core roles identified in Annex A, board members of FMOs and Ghillies. It is important that the programme is developed in consultation with the sector and is presented appropriately. The members of the SRG have an important role to play in this.

Feedback from group members on form, function and membership of FMOs

There was detailed discussion at the last meeting of the group about the range of interests that might be represented on FMOs and the form and functions that FMOs should take. This discussion continued prior to the meeting on 13th August and the outcome of the discussion is included at Annex A. The following points were discussed by the group:

- The suggested core functions of the new structures were agreed and are set out in Annex A.
- FMOs must have sufficient critical mass to do the job – finance is key to this.
- Local accountability is crucial to ensure that there is faith in the system going forward.
- The core functions could be used in developing a template fishery management plan for FMOs, with an emphasis on the relative importance of functions within that area.

Issues for the SRG to consider

Model constitution

It was noted that the group had not yet had time to fully discuss the membership of FMOs. It was agreed that the group would look at this further in the process of developing a draft model constitution. It was suggested that the basis for this could be the draft constitution as set out on the [SCVO website](#). It was noted that there are a number of potential options for the constitution of an FMO and that Scottish Ministers have received some concerns about the suitability of a charity to undertake some functions. However, it was agreed that a draft constitution for a company limited by guarantee would be a useful starting place, and that the constitution could be modified as necessary going forward.

Finance

The group was asked to investigate the current sources of income available to the sector, current areas of expenditure and the potential for funding the future management system. Due to the nature of the current structures, it is likely that the majority of this work would be undertaken by ASFB and RAFTS in the first instance. In particular, it is important to understand the different sources of income currently available, the basis for such funding (e.g. how this related to the constitution of

the recipient body), the extent to which such funding is used for activity which may not be considered as core fishery management, but may have related benefits to fisheries.

Date of next meeting

The next meeting will take place on Thursday 24 September at Victoria Quay. Meeting space will be made available for the group for discussion prior to the next meeting.

Fishery Management Structures

Function

The Joint Working Group between the Association of Salmon Fishery Boards and RAFTS suggest that the core functions of the new management structure should be

1. Control of Exploitation (illegal and legal)
2. Manage relevant species and habitats
3. Research & Monitoring
4. Consultations and planning (developmental control)
5. Fisheries Development & Angling Promotion
6. Education

Roles

There are a multitude of ways in which these functions can be achieved in terms of engaging personnel, along with the emphasis of different functions and scale. The way in which they will be delivered will be dependent upon the fisheries management plan for each area. This paper highlights one way ahead for an “average” FMO that does “average” levels of activity across each of the functions. This section looks at the roles that could be used to deliver these functions.

Director

Manager employed to oversee the operation of the organisation in terms of staff, activities and assets. This will be to ensure that the fisheries management plan is delivered according to timetable, budget and quality.

River Operations Manager

In charge of all outdoor activities including policing, restoration and hatchery duties. Capable of managing staff and volunteers. Capable of developing projects, associated budgets and delivering them.

Water Bailiff

Responsible for policing, restoration and hatchery duties. Very much the delivery function of the FMO on the ground for practical works.

Voluntary Fishery Warden

Volunteer post to help with Fishery Officer duties, particularly policing.

Senior Biologist

Responsible for the monitoring, research and education activities associated with the FMO. Capable of developing projects, associated budgets and delivering them.

Biologist / Assistant Biologist

Carries out monitoring, research and education activities associated with the FMO. Maybe supported by an Assistant Biologist.

Fisheries Development Officer

Responsible for angling promotion, fisheries development and encouragement of new participants. It is noted that the latter duty has cross-over with the education programme.

Administrator

Responsible for financial record keeping, project claims and administration duties within the organisation.

Project Officers

Ad hoc personnel brought in to deliver specific and potentially time limited projects.

Potential Organisational Chart

