

Forth District Salmon Fishery Board

Annual Report 2015

Forth District Salmon Fishery Board – www.fishforth.co.uk/fdsfb



Contents:

Chairman's Foreword	4
Annual Catches	5
Protecting Fish Stocks.....	6
Conservation Policies	6
River Forth Fisheries Trust	8
Generally	8
Easing Obstructions to Fish Migration	9
Bailiff Duties and Protection.....	9
Governance	11
Annual Accounts.....	12
Looking forward.....	14



Forth District Salmon Fishery Board

Members 2015

Fen Howieson (Chairman) (Mandated: Cambusmore)
Fiona Simpson (Mandated: Crown Estates)
Craig Gardner (Mandated: Stirling Council)
Roy Robertson (Anglers' Rep)
Scott Nisbet (Anglers' Rep)

Aly Dickson (Lanrick)
Tony Cameron (Leny)
Joe McGarvie (Tenant Netsmen Rep)
Alison Baker (part) (Anglers' Rep)
George Mackintosh (Anglers' Rep)

Clerk to the Board: Alison Baker
Superintendent: Bill Cunningham (retired July 2015)
Lee Fisher (from July 2015)

Forth District Salmon Fishery Board
The Clubhouse
106 Biggar Road
Edinburgh
EH10 7DU

Website: <http://www.fishforth.co.uk/fdsfb>

Finance: William Anderson
c/o Managed Estates
1 Springkerse Road, Stirling, FK7 7SN

Accountants: Douglas Home & Co
47-49 The Square, Kelso
Roxburghshire, TD5 7HW

River Forth Fisheries Trust

Directors 2015

Fen Howieson (Chairman)
Aly Dickson
Jamie Muir
Callum Sinclair (retired May 2015)

Dennis Toon
Mike Baillie-Hamilton
Graeme Hedger
Angus Watson

Trust Manager: Alison Baker
Senior Biologist: Jo Girvan
Almond Avon Reconnection Programme Project Office: Jonathan Louis
Allan Water Improvement Project Officer: Lawrence Belleni
Forth Invasive Non Native Species Project Officer: Amy Fergusson
Trossachs Water Vole Project officer (seconded to Forestry Commission): Ryan Greenwood
Ecologist/Morphologist: Tommy McDermott
Biologist: Sylvian Barry
Website: <http://www.fishforth.co.uk/rfft>

Chairman's Foreword

As I write this foreword I am reminded about all the hard work and effort the Board members have put in over the last 12 months ensuring that our governance is open and transparent. Thanks to work performed by the River Forth Fisheries Trust, we now have quantifiable records of activities throughout the District. And my thanks also go to William Anderson and the team at Managed Estates; they have done an excellent job (and continue to do so) looking after the Board's financial affairs.

The Wild Fisheries Review process continues to rumble on and I'm still optimistic that our District will benefit from the potential changes; this is possibly a 'once in a lifetime opportunity' to raise the profile of the District's extensive angling opportunities and work towards the area being properly resourced.

The team behind the Board has certainly changed over the last 12 months and I would like to take this opportunity to thank Bill Cunningham who retired in July after 21 years as the Board's Superintendent. It's a thankless task being the Superintendent of an area the size of the Forth District with its ongoing serious problems of poaching without sufficient resources and Bill did a fantastic job for a great number of years. I wish him and Barbara all the very best in his retirement.

I would also like to take time to introduce Alison Baker, our new Clerk. Most of you will already know Alison from her involvement with the Trust and this appointment will help further develop our close working relationship.

Lastly, I'd like to welcome and introduce Lee Fisher. Lee is currently filling the vacant Superintendent position and Alison and I are working hard to develop a sustainable enforcement strategy across the District towards which Lee's extensive knowledge is invaluable. Lee brings a great deal of knowledge and experience with him and within a short period of time he has already lifted the District's profile across the bailiffing community. Lee is currently developing the way we police the District and we will continue to look at new methods and approaches. We aim to have completed the review including staffing of this by the end of this financial year.

The Board continues to support the Trust by way of a donation, which allows the Trust to work with the Board to ensure that data is collected and records are maintained, projects to improve habitat and access for fish (both large and small scale) are developed and delivered as well as scientific guidance on the huge number of issues that we face across the District. There are some very exciting projects being initiated at the moment and I would hope to see some river works occurring over the next 12 months. The Trust team has also grown and there has been a significant increase in our data collection including electro-fishing activities this year.

In last years' foreword I suspected that the 2014 catches were going to be poor and despite a reasonable spring the lack of water throughout the summer and autumn certainly brought an end to a poor season. One thing we can't account for is the weather, but I'm optimistic that the fish were there, just holding up in lower river and estuary. We should all remember that the salmon is a very resilient species.

The outcomes of the Licence to Kill Regulations are very frustrating and quite rightly some proprietors and clubs are angry at the results, however wrongly or heavily handily the regulations are seen to be imposed, their aim is to protect the Atlantic salmon and ensure that there is sufficient sustainable populations now and for the future. The Board and Trust is working very hard to not only 'fix' the inequalities which have come directly out of the latest work from Marine Scotland Science Freshwater Lab but also to work towards tackling, via the Trust, some of the big issues across the District in terms of access to fish passage and habitat improvements. This will occur along side the anticipated improved enforcement being developed. However, some of these issues are outwith the control of the Board and with limited resources we are not always in a position to act as strongly as we might wish to. We would urge anglers to support their local fisheries throughout this time to ensure that the excellent example of accessible fishing for everyone, which the Forth District demonstrates so well, is maintained.

Fen Howieson

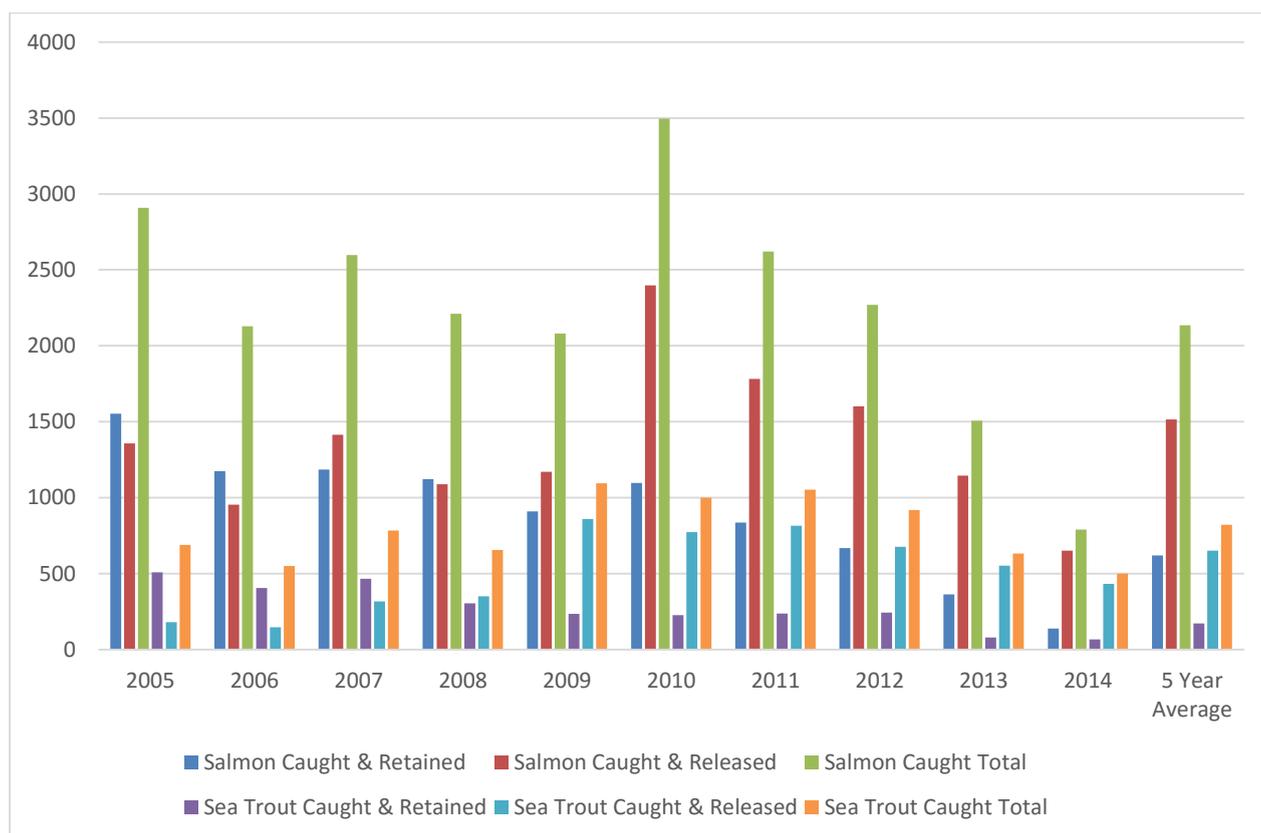
Chairman

October 2015

Annual Catches

The Forth DSFB has chosen to use the statistics provided by Marine Scotland to display the catches across the District. Season 2014 was a very challenging year, it started better than the previous year but low waters followed by heavy rains throughout the majority of September and October only really left a short window of opportunity for angling. This resulted in our worst catch return in the past 10 years and well below the 5 year average. It should be remembered however that low catch numbers do not necessarily mean there are less fish but that less fish have been declared as caught.

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	5 Year Average
Salmon Caught & Retained	1552	1175	1184	1122	910	1096	837	668	362	138	620
Salmon Caught & Released	1357	953	1414	1089	1170	2399	1783	1601	1144	652	1516
Salmon Caught Total	2909	2128	2598	2211	2080	3495	2620	2269	1506	790	2136
Sea Trout Caught & Retained	509	405	467	305	234	227	236	243	80	67	171
Sea Trout Caught & Released	179	146	317	351	860	773	816	676	552	433	650
Sea Trout Caught Total	688	551	784	656	1094	1000	1052	919	632	500	821



It would be fair to say that fishing so far during 2015 has followed a slightly different but equally as frustrating a pattern of catches, with the spring bringing very high water, at times making it almost impossible to fish, followed again by a very dry summer and autumn. This pattern of weather affecting not only the Forth District but is replicated across Scotland.

Protecting Fish Stocks

Conservation Policies

The Board has continued to work with the Trust to set a Conservation Code for each river system within the District; these are reviewed annually when a number of factors are assessed. These include information collected from electrofishing and habitat surveys and other scientific data on the well being of fish stocks within each of the Districts Rivers. This year however for Atlantic salmon additional regulation has been imposed by Scottish Government (without any reference to either the FDSFB or RFFT.)

Scottish Government have already issued regulations to protect Spring runs of fish have been set requiring all salmon to be returned prior to 1st May. In addition, as many will be aware Scottish Government together with Marine Scotland Science have graded all Districts across Scotland and imposed further controls on netting. Further information can be found here. The regulations are subject to consultation which closes on 29th October and there is some possibility of some changes or delay. The Board and Trust have made a representation relating to the issues affecting the Forth and are engaged at a higher level with other members of the Fishery Board and Trust networks across Scotland on the methodology applied, which is being directly communicated with the Freshwater Lab.

For the Forth, these proposals split the District into three with the majority of the area (excepting the area covered by the Teith SAC) being allocated Grade 3 status i.e. Less than 60% mean probability of Conservation Limits being met in the last 5 years. And therefore

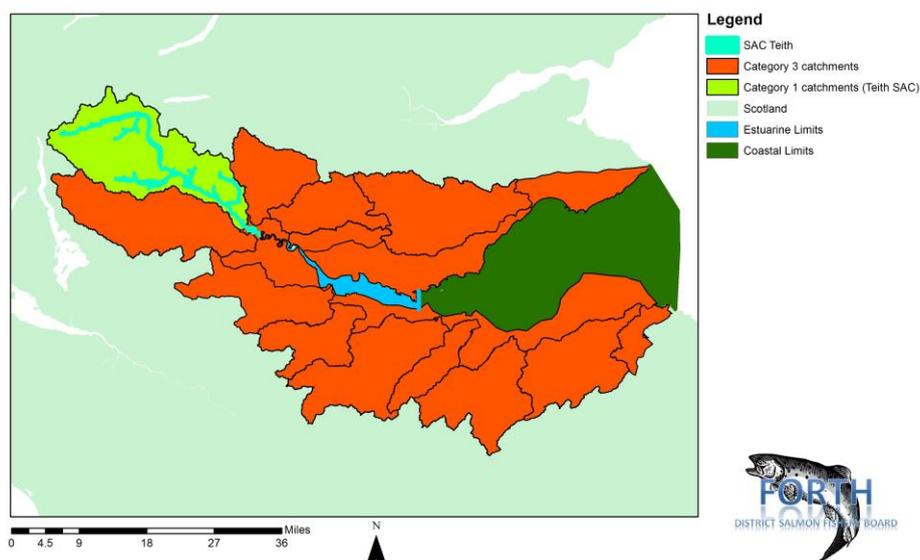
Exploitation is unsustainable and mandatory catch and release (all methods) for 1 year will be required. Management action is necessary to reduce exploitation and production of a conservation plan is required in consultation with Marine Scotland.

The Teith SAC has been allocated Grade 1 status i.e. At least an 80% mean probability of Conservation Limits being met in the last 5 years.

Advice provided (either to District Salmon Fishery Board or proprietors/fisheries in areas without a DSFB) indicating that exploitation is sustainable therefore no additional management action is currently required. This recognises the effectiveness of existing non-statutory local management.

Netting for Atlantic salmon is prohibited for coastal nets for 3 years – to protect mixed stock fisheries.

Forth District Map



The District wide grading has resulted in some rivers probably being down graded due to averaging of the rivers across the area. This has been raised with Scottish Government and Marine Scotland Science and there is an 'in principle' agreement with them to look into this issue, this has come about due to the way the catch returns are submitted to MSS as a District as a whole and the Forth is unique in its make up as a multi river system within one District.

The grading imposed means that the Teith Tributary and the lower section of Forth are the only parts of the District where salmon can be retained. The mixed stock status of the lower Forth sections and the inequalities that it places on both the River Forth and the Allan Water places the Board in a difficult situation. From a pure conservation perspective, the Board would prefer that this section of the SAC is catch and release to protect the fish which would be destined for the upper Forth and the Allan, however it also recognises that 'two wrongs do not make a right' and is working with Stirling Council Fisheries to agree protection measures which also allow the taking of some fish for next season.

Netting for salmon is prohibited in coastal waters and all salmon caught within the Estuary limits (including those by nets) will have to be returned. Again the Board has made representation on how this can possibly be enforced when the same regulations do not apply to sea trout and we await their response.

The final agreed policies will be published on the website once the outcome of the finalisation of the Licence to Kill Regulations are published.

The Board continues to aim to achieve 100% catch and release of spring salmon across the District with in some cases complete catch and release on both salmon and sea trout, where we have fragile stocks or insufficient data. It is good to see, from the above figures, how the proportion of fish caught and released has increased over the last 10 years but we must all do more. It is now more than ever critical to demonstrate to Scottish Government that we can act responsibly to protect migratory species.

The Board and Trust has endeavoured to engage angling clubs/associations and proprietors prior to making their recommendations. We encourage all clubs/associations and proprietors to follow the conservation codes as these are there to protect the long term sustainability of the salmon and sea trout stocks within the district. Those clubs with Crown Estate leases usually are obliged by the terms of their lease to comply with the recommendation of the Board

River Forth Fisheries Trust

Generally

The Board continues to financially support the RFFT by way of a donation. This again was £60,000 and for 2015 it looks like RFFT have increased this investment by nearly 17 times. The Trust has been involved in the following:

- Monitoring and scientific data gathering by electrofishing and habitat surveys to inform management policy and plans – 120 sites surveyed including some fully quantitative.
- Continue to update catchment and individual river system fisheries management plans. These are being reviewed in light of the likely outcomes of the Wild Fisheries Reform process.
- Continue working relationships with statutory bodies, government agencies, communities and fishery proprietors / organisations across the District together with relevant funding partners to support implementation of projects arising from management plans. Positively engage in the process of change from WFR to ensure that there is the best available outcome for the Forth District.
- Provide technical advice on policy and operational matters.
- Through targeted educational programmes raise awareness of the water environment and its wellbeing within the catchment, including an electrofishing training programme.
- Review and respond to consultations (planning etc.) and pollution incidents providing advice as may be necessary, at both national and local level.

The Trust is managing a number of catchment wide programmes of work funded by SEPA Water Environment Fund, HLF, SNH, Scottish Government and other local funders. These are:

- Allan Water Improvement Project – Integrated catchment management and works to address issues such as flooding, barriers, INNS etc. Including Peatland Restoration, woodland creation and barrier assessments. (Main funder: Scottish Government, SNH, SEPA WEF and FCS)
- Almond Avon Reconnection Programme – 7 major restoration projects and associated community works, education, training and awareness raising. (Main funders: SEPA WEF and HLF)
- Forth Invasive Non Native Species Programme (phase 3) – continuing the work of the phases 1 & 2 with a combination of contractor and volunteer control of INNS on priority rivers. (Main funders: SNH, SEPA WEF, LLTNP, Falkirk ET, LandTrust.)
- Midlothian Esks Barrier Easement Project – easement of 13 currently impassable barriers throughout the catchment over the next five years (further work has highlighted the possibility of a further 8-10 barriers to follow in phase 2 of this work). This is probably the largest barrier easement programme of works in Scotland (if not the UK) (Main funder: SEPA WEF)

The Trust also responds to statutory, formal and informal consultations from Scottish Government, SEPA, Forestry Commission, Network Rail, Local Authorities, Scottish Water and SSE. The process of dealing with these plus ongoing liaison with agencies, local authorities and statutory energy suppliers, as well as local groups and stakeholders, allows the Trust to influence works being undertaken which affect our rivers and also contribute to policy and decision making.

The Trust also continues to work with schools across the District delivering Fish in the Class and INNS activities, which are always very popular. Further partnerships are being developed with tertiary educational organisations within and beyond the District including Stirling, Edinburgh and Edinburgh Napier Universities, Rivers and Lochs Institute and Inverness College, who are supporting a number of projects ranging from genetics to project monitoring to training provision.

Easing Obstructions to Fish Migration

The RFFT has undertaken three small fish passage projects in the District – Dollar Weir, Devon (adjustments to existing fish pass), Inveresk, Midlothian Esks (repairs to fish pass) and Fankerton Weir, Carron (new counter to new fish pass).

The Board and Trust together with partners continues with the long term programme of catchment fish pass works to the Almond and Midlothian Esks with designs for work ongoing and delivery should start in 2016. The Trust has been working with SEPA river basin planning team to agree the priority barriers for the next cycle 2016-2021, these work are subject to funding from the Water Environment Fund. Although at this time we have not seen the full list from SEPA, we are informed that there are a high number of priority barriers in the top 50 in the Forth District. These are likely to include:

- The 13 impassable barriers on the Midlothian Esks
- The 7 barriers which cause a cumulative affect to fish passage on the River Almond
- The 10 barriers which cause a cumulative affect to fish passage on the River Tyne.
- The 8 barriers which cause a cumulative affect to fish passage on the River Leven.
- The 2 impassable barriers on the Bannockburn

The work includes both direct works to redundant ('not in economic use') barriers where we can get the consent of the owners and also working with SEPA Enforcement teams to review the CAR licencing of those still in use. This work would open up approximately 407 km of new habitat. We are also working with the Crown Estates on the opening up of the salmon fishing rights and will be working with local anglers and others to provide support to new clubs etc where possible.

To complement this work on redundant structures, work is ongoing with SEPA's regulatory teams across the District to get weirs and barriers which are currently still in use compliant with the current regulations. To date these include Belhaven Weir (Biel Water), Preston Mill (Tyne), Ashfield Weir (Allan Water) together with a full review of the weirs on both the River Tyne and Leven prior any other works being undertaken. This is including additional flow meters and monitoring.

The success of the installation of the fish counter at Fankerton and the knowledge gained will hopefully lead to the consideration of counters in other parts of the District to monitor returning fish. Further work is required on the possible funding streams available.

Bailiff Duties and Protection

The Forth District, despite being one of the lowest resourced areas for its size, has the highest conviction rate in Scotland and brings more poachers to court than any other District. The work of the Forth's enforcement team is hampered by the lack of resource which the Board can give, this compared to its immediate neighbours – Tweed (6.5 employed Water Bailiffs) and Tay (6 employed Water Bailiffs) – the employment of one full time Water Bailiff makes the results the team get even more significant. Imagine what could be done if the work could be properly resourced. The Board has raised this issue via the WFR process and also the Licence to Kill Regulations and will continue to promote the issues and problems at the highest level.

Despite the above, the enforcement team led by Bill and Lee at their respective times throughout the year have done a fantastic job and it is also appropriate to thank the volunteer bailiffs for their time which they give free to help the Board. A number of volunteer left at the same time as Bill and the Board thanks them for their help over the years. We are pleased to say that other volunteers have come forward for training and the Board are likely to provide put a further 10 WBs through the IFM training this financial year.

Fishing has been frustrating this year with little water in the last months of the season and fish sitting at

lower sections of the rivers and within the estuary. This has not only meant that they have not been in the rivers to fish but have also been susceptible to poaching activities. There have been a number of incidents reported to the Procurator Fiscal throughout the season, and the Superintendent has been working with The Tweed Commissioners' Superintendent on 'cross district' operations.

Further meetings and information will be available on the ongoing strategy work as and when it is available.

Governance

The Aquaculture and Fisheries (Scotland) Act 2013 requires all District Salmon Fishery Boards to operate in a open, transparent and accountable manner. As part of this the Forth DSFB voluntarily adheres to the Association of Salmon Fishery Boards (ASFB) Code of Good Practice. A copy of the code can be found at the ASFB website (www.asfb.org.uk/publications).

This section of the report details how the Forth DSFB meets the terms of the reporting requirements of the

Aquaculture and Fisheries (Scotland) Act 2013.

Meetings

The Forth DSFB holds meetings on an approximately quarterly basis at various locations throughout the District. All meetings are open to the public and are advertised on the Boards website (www.fishforth.co.uk/fdsfb). The subsequent minutes of these meetings are also published on the website.

Complaints

The 2013 Act requires all District Salmon Fishery Boards to establish a formal complaints procedure. A copy of the complaints procedure is available on the Boards website.

There have been 0 complaints received to date.

Declaration of Interests

All members of the Forth DSFB are asked to complete and keep up to date a declaration of interests relevant to their position on the Board. The most up to date register is available by request to the Clerk of the Board.

The Forth DSFB registered as a data controller with the Information Commissioner on 15th July 2014.

Equal Opportunities and Disclosure

The Board produced their Equal Opportunities and Disclosure statements, which again are available on the Boards website.

Annual Accounts

Income & Expenditure For the period 1st April 2014 to 31st March 2015

	Period 01/04/2014 to 31/03/2015		Period to 31/03/2014	
Income			£	£
Fishery assessment	145,400		142,561	
Interest received	23		553	
		145,423		143,114
Expenditure				
Salaries incl NI and PAYE	21,912		25,612	
Subcontractors			1,840	
Property rent	6,256		7,232	
Vehicle/boats upkeep & travel	11,950		10,624	
Protective clothing			-	
Training & subsistence	225		852	
Insurance	2,467		1,840	
Taxation on interest received	5		111	
Clerk's contract costs	20,285		28,715	
Office expenses & telephone	772		1,655	
Donations	71,588		61,325	
Subscriptions	4,005		4,944	
General expenses	2,362		2,345	
Accountancy	1,758		1,620	
Independent Examination			900	
Bank charges	32			
Legal & professional fees	1,140			
Bad debts	80		560	
		144,837		150,175
		586		(7,061)
Depreciation				
Plant & machinery	413		201	
Motor vehicles	951		1,482	
Computer equipment	201		349	
		1,568		2,032
NET LOSS		(982)		(9,093)

The complete statutory financial statements will be available to interested parties from the registered office of the Board, or from Managed Estates, 1 Springkerse Road, Stirling FK7 7SN.

Balance Sheet
31st March 2015

	Period 01/04/2014 to 31/03/2015		Period to 31/03/2014	
FIXED ASSETS			£	£
Plant and machinery	1,239		1,652	
Motor vehicles	2,855		3,806	
Computer equipment	619		823	
		4,713		6,281
CURRENT ASSETS				
Debtors & Prepayments	4,244		36,077	
Cash at bank & in hand	95,347		63,030	
	99,591		99,107	
CURRENT LIABILITIES				
Creditors	2,413		2,520	
Corporation Taxation	114		109	
	2,527		2,629	
		97,064		96,478
NET ASSETS		101,777		102,759
FINANCED BY				
Development Reserves		32,000		32,000
CAPITAL ACCOUNT				
Brought forward	70,759		79,852	
Less				
Net loss	982		9,093	
		69,777		70,759
		101,777		102,759

The complete statutory financial statements will be available to interested parties from the registered office of the Board or from Managed Estates, 1 Springkerse Road, Stirling FK7 7SN.

Looking forward

The Board will continue to build upon the stable foundations delivered throughout the past 12 months, accountability and openness are key to engaging the proprietors and anglers. We would encourage you all to keep an eye on the Board's website. Resourcing will continue to be a challenge, however we continue to look at all the options available.

As each year goes by, we are building more and more scientific data via the Trust, however core funding restricts the extent of the work that the Trust can undertake to support the Board's aspirations. Projects are being developed which support some of this work but are often restricted in terms of time and geography by the funders requirements. These projects are however allowing the Trust to diversify its staff ensuring that the greater range of advice is available.

We must ensure that we positively engage in the Wild Fisheries Reform (WFR) process and raise the issues and potential of the Forth district to deliver the best available fisheries management to promote the fisheries within our District at the same time as ensuring the continuing improvement of the sustainability of migratory species within the District.

The changes proposed within the WFR including the All Species remit will dynamically change the management of the District and the Board supports the closer working relationship between the Board and the Trust to meet the challenges of the future.