

FDSFB Clearing Weirs Advice

The Forth catchment contains many weirs and natural obstruction which can become blocked with debris such as supermarket trolleys or, most often, fallen branches. In general it is desirable that such obstructions be removed promptly – particularly when the obstruction is in a fish pass.

Where the pinch point is a man-made weir then responsibility for keeping it clear lies with the weir owner (or operator) and where practicable the owner should be encouraged to deal with any problem. Most such weirs will have CAR licences issued by SEPA and SEPA can enforce action by the owner. Where there is no man-made structure landowners may still be responsible for removing rubbish.

We recognise however that ownership of some weirs is disputed whilst others are owned by large organisations whose bureaucratic procedures may be slow to respond to blockages. In such cases anglers or clubs may wish to involve themselves. Whilst this is generally “a good thing” to do, they should in the first instance approach the owner or SEPA. It may be helpful for clubs to enter into advance agreements with owners so that they are in a position to respond without further consultation when an obstruction occurs. Indeed such an agreement might form part of a lease of fishings or simply act to create good relations with an owner.

Unfortunately it is also the case that choke points for the passage of salmonids are attractive locations for poachers to take fish and hence our bailiffing staff take a suspicious interest in anyone working in or around falls, weirs and fish passes. The law allows our bailiffs to assume guilt unless innocence is proven on the part of someone in such an obstruction with an “instrument” such as a gaff. Hooks on poles or ropes used with good intentions to remove blockages might cause our bailiffs to be highly suspicious. We therefore recommend that anyone intending to do any works in or around any such obstruction should avoid bringing suspicion on themselves by declaring their intent with our Superintendent or any FDSFB bailiff. We accept that most people found working on an obstruction will be doing so with the best of intentions but we suggest that anyone with a previous salmonid related criminal record should stay clear of such situations and report them to others to deal with.

We would also remind anglers that rivers and obstructions are inherently hazardous locations and anglers and clubs should assess the risks and follow safe working procedures. Amongst other measures such procedures are likely to preclude lone working in dangerous locations.