

## Minutes

### RAFTS/ASFB Joint Working Group

#### 9<sup>th</sup> Meeting: Rutland Square, Edinburgh

23 September 2015

**Present:**

Alasdair Laing  
Andrew Wallace, Chair  
Chris Horrill  
Brian Davidson  
Jamie Ribbens  
Nick Yonge  
Simon McKelvey  
Roger Knight  
Mark Bilsby  
Marshall Halliday  
Alison Baker  
Jim Henderson

Mark Bilsby  
Giles Curtis  
Craig MacIntyre

**In attendance: (PM only)**

Alan Wells (SG)  
Andrew Henderson (SG)

#### 1. Minutes of last meeting

These were approved. To record the apologies of MB and JH.

#### 2. Matters Arising

- **Licensed killing of salmon** – A new announcement is anticipated following the last public notice outlining the licensing proposals. It was felt that the process could have been strengthened and broadened by utilising some of the scientific expertise within the trust/board network on the science and methodology underpinning any future regulatory arrangements. It was agreed to seek further clarification on this. The Chairman felt that it would have been helpful to be aware of this concern so that it could have been raised for discussion at the recent meeting with the Minister. It was recognised that this had highlighted the need to improve messaging and communication on escalating significant matters from the network at the right time and also better communication regarding the meeting with the Minister.
- **Meeting with Minister** – The Chairman reported that the meeting was positive and the Minister was interested and engaged with the matters around the WFR. The meeting included discussion on the form of FMOs, geography and functions. The Minister is still open

to ideas on form of FMOs (but was clear that this needs to follow functions). There was some discussion around the setting and collection of finance to service FMOs – this remains the key challenge and the sector and Government need to refine thinking on this as matter of priority. The implications for Tweed were discussed and it was reported that AL and AW made the point that they felt it was necessary for the Tweed to be considered separately, given differences in legislation and processes for change. The overall tone of the meeting was positive and Minister appears to be receptive to ideas. It appears that the WFR process is being driven by management needs rather than politics.

### **3. Update on progress with WFR**

#### **4.1 Stakeholder reference group – short update**

MB reported that the Group is beginning to function well. It is proposing to look at constitution and membership for FMOs, including ideas on membership requirements. It will be considering model constitutions – eg a 2-tier model – which might include a wider forum than executive trustees or a board to manage business. Reference would be made to existing model constitutions, for example those used by SCVO and others. A report would be made following the meeting.

#### **4.2 Professional advice**

**Future needs** – It was agreed that there may be a need for further advice to consider implications for change in relation to board assets/employment. It was recognised that employment may be covered by TUPE arrangements – assets could be more complex. Assets will include a wide range of things, and will include property and other items, such as netting rights purchased for conservation reasons. It was agreed to seek clarity on issues associated with assets and also seek guidance on processes which govern TUPE arrangements and how these might apply to future changes looking specifically at DSFBs and Trusts. **ACTION: BD**

#### **4.3 FMOs – geographical matters**

AW presented some ideas on FMOs – these were based on discussions with members during 2015. Further more focussed and local discussions have taken place more recently and more meetings are scheduled. Both ASFB and RAFTS Chairmen have facilitated 10-12 meetings with Boards and Trusts and these have generally been met positively. The key driver around new geographical areas is being driven by financial viability, practicality and the desire to create organisations that will operate at a scale which will retain volunteer commitment.

One theme which is emerging is the concept of federalism and sharing resources – ideas on this should be developed. A key feature of the discussions reveals that in some areas increasing size does not solve funding problems. Funding also needs to be considered in light of efficiency – a task might be capable of being done using different sums of money. There is a need to test areas against anticipated funding and assess how this stacks up. It is hoped that at least one area, which had

developed some very detailed ideas on this subject, might be able to test some ideas around financial and operational capability very soon. This will be shared more widely so that people can learn from that process and potential ideas can be shared elsewhere. It was agreed that these ideas should be shared in more detail with the JWG and with officials. **Action: AW/AL to facilitate.**

In terms of developing thinking on FMO functions, the sector has some well-developed ideas – it was agreed to share these with Scottish Government. Further work should be undertaken to reflect the importance of fisheries development and how Scotland should fit into and compete with the international scene.

It was difficult to apportion costs to delivering these functions, however it might be able to provide a very basic approximation (with the strong caveat that these will be different for all areas). Information would be provided to SG. **ACTION: MB**

The following comments were made by Alan Wells and Andrew Henderson from Scottish Government:

There is no position on a 'right' number of FMOs across Scotland. The organisations will need to be viable in terms of management need and what works locally – this will determine size and number.

There is still further thinking to be done on possible criteria in terms of how funding will be facilitated locally. Any application process for approved body status may not be defined in legislation. It is also unlikely that legislation will define FMO boundaries. The sector should consider whether getting the approval process and delivery of good management is more important than simply boundaries?

The idea of a pilot project to start testing ideas was welcomed. This will allow an opportunity to learn from that process and see how it might be applied and inform work elsewhere.

A draft wild fisheries strategy is currently being developed with the emphasis on bottom-up process through a separate stakeholder group.

**4.4 The next steps** – AWA reported that there will be further discussions with local groups and the outcomes will be discussed with SG. The aim to have firmer ideas for October.

**4.5 Transitional arrangements** - Further advice will help inform this – it is hoped that joint thinking between the sector and SG will help inform this process too. Significant perceptual issues with current employment and assets and how this is dealt with. Further clarity will help reduce these concerns.

There remains a tangible perception about loss of local powers – however it was agreed and understood by the group that many/all of these powers were not vested locally at present. It was

agreed that it would be worth emphasising that the overall management priorities will not be materially different – this should be drawn out in the next bulletin. **ACTION: BD**

**4.6 Finance modelling** – work is being undertaken to quantify and bring together the income streams from both DSFBs and Trusts. Whilst this will just be a ‘snapshot’, it will nevertheless be helpful. **ACTION: CH/MB/AWE**

**4.7 Enforcement and compliance** – SG is taking views from the Bailiff Development Group on WFR as it relates to enforcement activities. The last meeting was positive and ideas are being fed into Government about retention of key powers, core activities and legislative requirements from an enforcement perspective.

**4.8 Angling promotion and development** – AWA provided a brief update on discussions with Angling Trust and the governing bodies in Scotland on the subject of rod licensing. He reported that there may be some support for an angler contribution system but the broad principles of this will need to be explored with the governing bodies. He reported that a meeting was to be held shortly to establish whether agreement on high level principles could be agreed. **ACTION: AWA**

**4.9 Communications** – all satisfactory and no issues with current output.

#### **4.10 Any other business**

None.

#### **4.11 Date of next meeting**

30 October, Birnam Institute, by Dunkeld, 10.30