



Scottish Anglers National Association Ltd

The National Game Angling Centre
The Pier, Loch Leven, Kinross KY13 8UF

'Recognised as the Governing Body in Scotland for the sport of Game Angling'

Tel: 01577 861116 Fax: 01577 864769

Email: admin@sana.org.uk Website: www.sana.org.uk

Company Limited by Guarantee & Registered in Scotland Number SC295257

Registered with CRBS for Child Protection Disclosures.

27th February 2012

Aquaculture & Fisheries Bill Consultation

Response from SANA's Non-Migratory Fish Committee

Introduction

The Scottish Anglers National Association Ltd (SANA) is the recognised governing body for game angling in Scotland. It has a Migratory Fish Committee and a Non-Migratory Fish Committee (NMFC) which each have expertise and substantial experience in their respective fields. This submission from the NMFC concerns Sections 3, 4, 6 and 7 of the Consultation Document (CD).

We are pleased that Section 4 says the government is committed to *"supporting and protecting our famous and valuable wild salmon and freshwater fisheries"* and to *"harness their social and economic potential for the good of local communities."* In addition we welcome the reference to the "Strategic Framework" vision that says *"Scotland will have sustainably managed freshwater fish and fisheries resources that provide significant economic and social benefits for its people"*

However, we are disappointed that the CD concentrates on salmon, and little consideration is given to matters related to other fish species; we also view with some frustration its tendency to follow the practice of many who write on fishery issues in referring to "fish" when they mean "salmon and sea trout". This can be ambiguous and lead to misinterpretation of intent, so it should not be forgotten that matters affecting migratory fish may also affect brown trout, wild grayling and some coarse fish populations, and these species should be considered equally when salmon issues are addressed. That said, we note in paragraph 71 the proposals are seen as "the first step towards modernising and improving arrangements for managing our salmon and freshwater fisheries". If that implies further proposals involving other species will be put to consultation at a subsequent date we look forward to them appearing sooner rather than later.

SECTION 3

1) Containment and Escapes – Q 21 - Yes

We are happy to see that rainbow trout farms (paragraph 65) are included in the proposals. Escapes from rainbow trout farms (eg on Earn and Loch Tay) and build up of faecal matter below cages have been allowed to happen without due penalty for too long, and we hope they will be monitored more effectively and the problems they pose will be given as much attention as those involving salmon escapes. We therefore support the proposal for inland farms to use equipment that conforms to a Scottish Technical Standard, as long as that Standard is a robust one.



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2) Tracing escapes - Q 22 - Yes

It is essential that this is part of any policing process.

SECTION 4

3) Modernising the Operation of District Salmon Fishery Boards – Q 23 - Yes

We welcome the proposed steps to modernise the operation of District Salmon Fishery Boards, however, they fail to deal with a basic problem. Boards appear to have the power to take such steps as they consider necessary to enhance stocks of migratory fish, without being obliged to give due consideration to the requirements of non-migratory species and of those wishing to fish for them; so we agree with the proposed introduction of a specific duty on Boards to act fairly and transparently, as long as that duty does not ignore angling for and the welfare of other species.

4) A Code of Good Practice for wild salmon and freshwater fisheries – Q24 - Yes

Paragraph 79 of the CD observes some bodies have developed guidance for their own disciplines. A Code covering wild fisheries would have to deal with complex fishery management issues and attain the agreement of many stakeholders and we wonder who would write it. In our view a Statutory Code would be welcome, but consensus over various aspects might be difficult to achieve. For instance, salmon proprietors are often also riparian proprietors, and as such are in a position to impose restrictions on those wishing to fish for non-migratory species. This leads to angling provision for trout, grayling and coarse fish being unsatisfactory in some waters, and anglers being deterred or handicapped by rules regarding -

- numbers of anglers allowed on the water
- methods of fishing (e.g. “fly only” or even “dry fly only)
- times of fishing (e.g. no fishing between sunset and sunrise)
- fishing seasons (e.g. winter grayling fishing often confined to a few weeks)
- access restrictions (e.g. no Sunday fishing, or/and fishing only on one or two week days)...etc

Such rules cannot be regarded as being “fair”. Unfortunately restrictions that adversely affect visiting anglers are sometimes applied by local clubs and associations.

To be effective a Code would have to be written by representatives of other species as well as salmon, and be implemented on a catchment basis. Experience gained in the operation of Protection Orders (POs) suggests that a proportion of proprietors would be reluctant to agree. Since it is unlikely that compulsion will be employed, thought must be given to some means of inducing owners to comply. One possibility will be to use experience gained in POs and to link “protection” to agreement.



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5) Statutory Carcass Tagging – Q26

We read CD paragraphs 86 and 87 as applying wholly to commercial netting of salmon and sea trout (it is illegal to sell rod caught migratory fish) so carcass tagging is outwith our remit for responding.

6) Fish Sampling – Q27 - Yes

We agree Scottish Ministers should have ALL-SPECIES fish sampling powers.

7) Dispute Resolution – Q31 - Yes

We would welcome an independent mediator, particularly in cases of unresolved dispute between migratory and other species devotees.

8) **Improved Information on Fish and Fisheries – Q32 - Subject too complex for a Yes or No answer.** The need for salmon rod effort is acknowledged, but it would be difficult to obtain on club waters and/or those other than where fishing is let and monitored. Getting some anglers to record their catches is notoriously difficult, getting them to record effort would be worse if not impossible, especially when a fishing day is spent on fishing partly for migratory and partly for non-migratory fish. To extend rod effort to non-migratory species would be completely impractical.

8) Licensing of Fish Introductions to Freshwater - Q35 - Yes

Salmon Boards should have to account to Ministers for introducing young salmon to areas which are outwith their normal zone and where they might compromise wild native trout (eg the Tay Board places millions of salmon fry in the upper Braan which adult fish cannot reach because of the falls at the Hermitage).

SECTION 6

9) Paying for Progress – Qs 46, 47, 48

The CD suggests that government budget constraints create a need for the fisheries sector to pay a share of increasing charges. Rod fishing for salmon is already funded through fees from private owners; rates on salmon fishings is reflected by some angling clubs charging much higher subscriptions for those who fish for salmon and sea trout than for other species. The big question is how to fund improved management of other species in addition to salmon? The main aim of the charitable Rivers Trusts is to manage all native fish species, but their work is constrained by having to find sufficient funding, and in practice many Trusts tend to concentrate on salmon. Consequently much fisheries and catchment management is still being tackled, usually on a voluntary basis, by anglers.



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A rod licence fee has been mooted, but is contentious in Scotland. SANA's members are generally against it as they think monies collected would be hijacked by the government for other purposes. Should the money be ring-fenced for angling improvements they might be more inclined to pay, but a long and persuasive campaign would have to be waged to convince most of its merits. Even if this was successful revenue would be relatively small compared with south of the Border as in Scotland the number of anglers per square kilometre and per kilometre of river is much less than in England. and anyway a large proportion of the money collected would probably be taken up by the costs of administering and policing the system.

The funding issue therefore remains a hard nut to crack. It was considered many years ago by the Angling for Change group, no practical solution has emerged since then, and we unfortunately have none of our own to offer, save that the UK government which got the country into the current financial mess should relax the curb on spending that it presently imposes on Scotland so that funds are available for wild fisheries that are part of our national heritage.

SECTION 7

10) Other issues

We draw attention to the problems cormorants and sawbills are causing to inland fish stocks, eg stocks of wild grayling on the River Earn have plummeted over the past four or five years when flocks of twenty and more cormorants have been seen fishing the river in the winter months. The evidence is anecdotal, but concern is widespread with anglers fishing other rivers and inland waters noting more damaged fish and more cormorants and goosanders. We point out that the issue is being taken seriously south of the Border, and urge the Scottish Government to do likewise and relax the current licensing policy that is ineffective in controlling numbers of piscivorous birds.

Alan Ayre

Non Migratory Fish Committee Secretary

12th February 2012