

**TRIPARTITE WORKING GROUP (TWG) – 24 MARCH 2005  
SCOTTISH EXECUTIVE, PENTLAND HOUSE, EDINBURGH**

**In attendance:**

- Scottish Executive:** David Wilson (Chairman)  
Gordon Brown  
Phil Gilmour  
Amanda Currie (TWG National Development Officer)  
Paul Shave  
Ron Stagg - FRS  
Pauline Munro - FRS  
David Hay - FFL  
Julie Brown (Minutes Secretary)
- Industry:** John Webster - SQS  
Alex Adrian - SQS  
John Rea - SQS
- Wild Fishery Bodies:** Andrew Wallace - ASFB  
Jane Wright – RAFTS & SANA  
Seymour Monro - AST
- Others:** Ian Sutherland - HIE  
Andy Rosie - SEPA  
Colin Bean - SNH  
Kjersti Birkeland - (TWG Regional Development Officer)  
Stuart Witt - (TWG Regional Development Officer)

**1. Welcome and Introduction**

1.1 The Chairman opened the meeting and welcomed everyone present. The members attending were then invited to give a brief introduction of themselves.

**2. Apologies**

2.1 Apologies were received George Hamilton (HC), Brian Simpson (SQS), Hector Martin (STOLT), Jamie Lindsay (SQS), Jean Balfour (SQS), Alan Anderson (STOLT), Robin Millar (Aquascot), Mark Bilsby (WIFT), Ronnie Picken (SANA) , Malcolm Beveridge (FLF), David Dunkley (SEERAD) and Dave Wyman (SEERAD).

**3. Minutes of Last Meeting**

3.1 The Group was invited to comment on the minutes of the previous meeting. Jane Wright indicated that Mark Bilsby had asked that the Group be made aware that there had been no engagement with Planners in the Western Isles about the transfer of

planning powers to the local authority. Phil Gilmour advised the meeting that the Scottish Executive had arranged to hold a Planning workshop, however this had been cancelled at the request of the industry. Gordon Brown suggested that the Western Isles Fishery Trust (WIFT) should contact the Western Isles Planners and FFA would contact the Scottish Executive Planners to seek to facilitate a meeting.

**ACTION: Mark Bilsby to contact the Western Isles Planners**

**ACTION: Emma Jones to contact SE Planning colleagues**

#### **4. Matters arising**

4.1 The Group was advised that both the letter on AMA reporting and information flow and the synchronisation paper were issued following the last meeting. Andrew Wallace advised that there was an intention to ask Sarah Bailey (RAFTS) to integrate a Sea lice seminar into the RAFTS conference. Discussions would take place with John Webster and industry colleagues to arrange in. Reports on the Fishery Bill, Restoration Sub-Group and Science Sub-Group would be taken later in the meeting.

**ACTION: Andrew Wallace to liaise with Sarah Bailey and John Webster**

#### **5. NDO report**

5.1 Mandie Currie gave a resume of the NDO papers that she had circulated. She reported that, although not formally signed off, Sunart was effectively operating as part of the Linnhe/Lorn AMA. Three other prospective AMAs were also nearly signed off. It was anticipated that Loch Ewe AMA would be signed in May; Duich/Alsh was pending the agreement of one landlord; and it was expected that negotiations on the Uist/Barra AMA, which had been delayed because of the suspected outbreak of disease would recommence and the signing take place in the summer. Further to this it was hoped that by the end of the year a total of, at least, 17 AMAs could be in place. Areas where there were still difficulties included Loch Roag, 2 Brooms, Enard Bay and Orkney. Of the signed AMAs all were working well with the exception of Nevis which was experiencing some local difficulties. It was suggested that, if funding was available, an AMA could be established on Arran relatively easily and it was understood that the organisations operating in Arran were enthusiastic. The NDO advised that she had made several attempts to set up meetings in Orkney but when she had been able to establish a date there had been poor attendance and no-one was actively engaged in pursuing the process. However, the NDO also advised the Plenary of an approach made to her about the possibility of establishing an AMA for Skye, underpinning a number of discrete Management Areas, and she sought the view of the Plenary as to whether they considered it a useful demand on her time.

5.2 Beyond this the only other issue of note was that the information flow from the farms was found to be slow and improving contact outwith AMG meetings was an area that the NDO felt could benefit from some attention. The Regional projects were still, in the main, on schedule and some additional work had been identified to be carried out. However it was possible that the North West area budget would be underspent.

5.3 The Chairman then invited the meeting to comment on the progress that was being made; whether effort should be put into establishing an AMA on Skye and how the problem of data flow could be addressed.

5.4 It was generally agreed that it was necessary to be open and transparent with regard to data and information, to provide them to those who usefully need them. However, a suggestion that AMAs are fundamentally important and should be considered as part of the planning process was rejected by the industry, industry pointed out that having an AMG in place was a preferable indicator in itself, it provided recognition that the parties were willing to work towards a solution. If AMAs were to be considered as part of the planning process there was a real danger that the existence or otherwise of AMAs could be used as a bargaining tool. The question of how the TWG process could be usefully recognised had been one of the reasons for convening the cancelled planning workshop and it was suggested that this could be debated in that fora should a workshop take place [The workshop was organised by the SE. It was cancelled with the agreement of the Executive on the understanding that industry would organise any future event]. It was also suggested that, while it was desirable that the establishment of AMAs should be seen as policy, negotiations were being held back in areas where no Fisheries Board existed, as every individual proprietor had to be consulted. Gordon Brown asked if it would help if the SE became involved in negotiations to establish Fishery Boards in particular areas and it was agreed that this would probably be helpful.

**ACTION: Wild fisheries bodies to invite SE to take part in the establishment of Fisheries Trusts, where they consider this would be helpful.**

5.5 The industry acknowledged that that information flow might be slower than desired but felt that overall, there was good dialogue between the industry and wild fisheries groups, and that within areas such as Wester Ross, the industry were communicating as though Agreements were in place. However, it was felt that there was a danger that the AMA progress was becoming bogged down with some of the wild fishery side not buying in to process. The NDO stressed the importance of acknowledging that RDOs were undertaking visits not audits and it was agreed that the neutrality of the RDOs was a reassurance to both sides. The Chairman asked if there was in existence a statement/fact sheet that drew together the benefits of the AMA process with examples of where things have worked well. It was agreed that the NDO could expand on the briefing sheets which were issued to 'prospective' areas and create something that could be sent out more extensively to advertise the process.

**ACTION: Gordon Brown/David Dunkley to take forward meetings with relevant wildfish bodies .**

**ACTION: Mandie Currie to create fact sheet.**

## **6. Communications Strategy**

6.1 The key priorities of the Communications Strategy have been defined in three parts: a newsletter; a website and a conference. The Group was given copies of a draft newsletter to consider and asked if any comments regarding the style or content could be

passed back to Julie Brown or Mandie Currie by 6 April. It was acknowledged that the newsletter was heavily weighted towards SE activities and it was hoped that future editions would have contributions from across the wider spectrum of TWG activities. The Plenary members were reminded that the decision to create the newsletter had been theirs and that the success of it and the rest of the Communication Strategy would rely on their participation. The Group was also given copies of a draft specification for a TWG conference and, again, were asked for any comments to be fed back. Although some work had been undertaken on this it was felt that it was important for the Plenary to be given the opportunity to shape how the conference might look.

**ACTION:** All Plenary members are to comment on the style and content of the newsletter and the proposals for the conference, including ‘no comment’ responses

## **7. Media Opportunities**

7.1 Andrew Wallace advised that the Management Group had agreed that, resources permitting, opportunities should be sought to publicise the work of TWG. There was a possibility that some of the underspend from the regional projects could be diverted into this and that the ASFB and SQS media contacts might work jointly to devise a programme and lead on this initiative. It was agreed that this would be a good idea but the SE should be kept advised and contribute where possible. The NDO was currently working on the forward cashflows for the regional projects and it was agreed that she would seek agreement from HIE in due course to redirect funds.

**ACTION:** NDO to advise on budget and agreement from HIE, to use underspend for PR initiative

**ACTION:** Emma Jones to advise SE Press office

**ACTION:** Andrew Wallace to commission ASFB and SQS media contacts

## **8. Future Structure and Funding of TWG process**

8.1 Phil Gilmour explained that the SE had decided to commission a study of TWG, to be linked with the HIE review, to establish a business plan and model for the future of TWG. Seymour Monro had been asked to chair a small group to do an overview report, drawing together conclusions and setting out the way forward. It was acknowledged that there had been concern expressed about the SE and HIE undertaking the same task but it was stressed that the SE exercise was primarily concerned about finding a way forward. Ian Sutherland advised that the original commitment from HIE was to assist with funding for three years and, although extending the funding might have been looked on favourably, the present circumstances meant that HIE had to disengage. The review exercise that HIE had commissioned was a routine practice, which should be completed quickly, and it was hoped that it could assist in attracting funding to the process from other sources. It was confirmed that SNH had indicated a commitment to continue their contribution to funding and Phil Gilmour advised that contact with the Crown Estate would be made as part of the SE exercise to seek re-engagement from them.

Phil Gilmour also undertook to ensure Seymour Monro had copies of the TWG Concordat and the HIE review document, when available.

**ACTION: Phil Gilmour to engage with Crown Estate re funding and to provide documents to Seymour Monro.**

## **9. Scientific Sub Group paper on sea lice monitoring protocols**

9.1 Ron Stagg reminded the Group that the Scientific Sub Group had been asked to consider two main questions: to review the models used in, and to prepare a rational basis for establishing Management Areas; to define the minimum sampling protocol required to establish the prevalence, abundance and temporal trends in lice on farmed fish.

It was explained that the industry had suggested some revisions to the Management Area boundaries as defined by the tidal excursion model, as these areas were sometimes too large to manage adequately the continuity of production. The conclusion of the Sub Group was that the current Management Area boundaries should remain, but that problem areas would require further consideration. Although data support was weak, the sub group felt that the biggest influence on sea lice levels was the stocking regime and management practices that were being applied. The sub group had agreed that AMGs might trial some revised MA boundaries, monitor the impact and amend if necessary.

However, it was recognised that some of the work of the Sub Group had been overtaken by work on the Industry Code of Practice. FRS was, however, still undertaking work on the dispersion of sea lice and on the spread of the IPN virus from farms.

9.2 The Sub Group were less successful in answering the second question of the two and didn't believe that they would be able to come up with a definitive answer.

9.3 The discussion then turned to the joint FRS and Strathclyde University paper. The study for this was particularly successful because there had been a lot of available data from the industry. The paper surmised that a successful sampling strategy would be based around sampling a number of fish from as wide a spread of cages as possible; the more samples taken the more accurate the estimate. It had become apparent that there was some diversity in what was currently happening and that guidelines would be helpful.

9.4 Although concern was raised that the more samples farmers were asked to make, the less cooperation may be given, which in practice, may actually work against AMAs; the industry intimated that the paper had advocated a common sense approach. The National Treatment Strategy would address sampling with a recommendation that businesses should aim for a minimum of 5 fish from 5 cages. It was agreed by the meeting that it was important to strike a balance between what is desirable and what is practical.

9.5 Ron Stagg was then asked if the Science Sub-Group had completed its work and he confirmed that the Group would not be able to conclude the tasks that were charged to it. There was agreement that there were lessons that the Plenary could learn from the Science Sub Group. It was suggested that there had been a need for more

regular dialogue between the Sub Group and the Plenary, possibly through the Management Group. It was also apparent that the membership of future groups should be considered carefully, to ensure that the best possible opportunity to reach conclusions. Despite the lack of success regarding the Management Area work, Ron Stagg confirmed that in the event of an outbreak of disease in the areas identified by the tidal excursion model would be used for disease control purposes.

9.6 The discussion then turned to the question of how others can be reassured that monitoring of the adequacy of Management Areas with regard to sea lice and disease control was being carried out. It was explained that auditing under the industry Code of Practice would take place, which should facilitate a process of allowing corrective action to be undertaken if problems were detected.

9.7 Gordon Brown advised that the Ministerial Working Group for Aquaculture was waiting for a paper on sea lice and that reference to the Code of Practice and compliance would be part of this. However, representations were already being made to the SE that statutory controls were needed.

## **10. Industry Code of Practice**

10.1 A draft Code of Practice has been consulted on and 4 bilaterals have been held with local authorities, regulators, wild fishery representatives and environmental NGOs. A substantial number of comments have been collected which the industry working group is working through and a revised document will be circulated in the Autumn within the industry. The question over the status of the Code of Practice was, however, an issue for the industry, as the various regulators were viewing it differently. It was suggested that some theoretical cases could be considered with the regulators to establish how they would respond. David Wilson offered Executive facilitation between regulators and the industry. It was agreed that the industry would write requesting this, once further discussions with wild fish representatives had taken place. Gordon Brown requested that the FFA Aquaculture Health team be given sight of the latest draft Code of Practice soon.

**ACTION: Industry to write requesting the SE to facilitate a meeting with regulators.**

**ACTION: Industry to pass their draft Code of Practice to the SE as soon as possible.**

## **11. Restoration Sub Group meeting**

11.1 Among the issues that the Sub Group have been considering are: effective containment; location of farms; and Code of Practice implementation. The Restoration Sub Group has also been drawing up an inventory of fishery management plans with the intention of assessing and endorsing these plans. SEPA has been invited and agreed to join the Group. It was recognised by the Restoration Sub Group Chairman that although the Sub Group has some worthy aims it should be acknowledged that progress has been slower than was wished.

## **12. Fisheries Bill**

12.1 The Executive had now commenced preparatory work on the proposed Fisheries Bill and Alistair Prior has taken up a post in the Bill Team. So far, the main themes to emerge are containment, sea lice management and the role of the industry Code of Practice. Representations have been made on the wild fisheries side that measures should be taken regarding the provision of statutory measures for the control of sea lice. Although it had been made clear that there was opposition to this on the industry side, so far no proposals had been put forward from them. The Group were advised that although the NDO had been asked to convene a meeting of both sides following the Highlands and Islands Aquaculture Forum, a date had still to be identified, although it was advised that some discussions had already taken place.

## **13. Location/relocation Working Group**

13.1 The Group were referred to the draft newsletter which gave the updated position regarding the Location/Relocation Working Group. Seymour Monro asked, if possible, to be copied in to the papers as there is some read-across to the work being undertaken by the Restoration Sub Group. It is intended that a policy paper will be submitted in due course to the MWGA.

**ACTION: Emma Jones to ensure that Seymour Monro is now provided with the location/relocation papers.**

## **14. AOB**

14.1 Kjersti Birkeland raised the issue of the revocation of IPN controls and suggested that TWG should write out, advising of the need to adhere to best practice. The Scottish Executive Aquaculture Health team (FFA3) has already issued a letter regarding the lifting of these controls and it was agreed that this could be circulated to the AMGs. Concern was also raised regarding the level of information that the Scottish Executive released about incidents of escapes from farms. It was agreed that Andrew Wallace would write in regarding this and the SE would give it due consideration.

**ACTION: FFA3 to forward letter concerning IPN controls to the NDO and RDOs, for circulation to the AMGs**

**ACTION: Andrew Wallace to write to the SE regarding incidents of escapes of farmed fish**

14.2 The next meeting of the TWG Plenary will be on Wednesday 5<sup>th</sup> October.