**MINUTES**

**of the Meeting of**

**RIVER BLADNOCH DISTRICT SALMON FISHERY BOARD**

**held at**

**The Offices of SEPA, Newton Stewart on 21st August 2017**

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**Present:**

Malcolm Adkin

Richard Scott

Colin Richardson and

Jonathan Haley

**Also in attendance:**

John Gorman – SEPA

Callum Sinclair – SNH

Jamie Ribbens – GFT

Mark Godfrey – Bladnoch Proprietor and

Peter Murray – Clerk

Apologies were received from the Chairman, Sir Michael Wigan who had requested Peter Murray take the Chair.

Subject of the meeting the Bladnoch Distillery application for a Licence under The Controlled Activities Regulations for the abstraction from and discharge into the river.

John Gorman from SEPA was invited to address the meeting which he duly did thanking everyone who had responded to the consultation put out by SEPA. He then explained the position regarding the application and the stage it had reached.

From the initial presentation and consultations he had determined three major areas of concern namely screening, discharge and abstraction.

He had advised that they had started speaking the Distillery people over a year ago and have met with the Manager Ian McMillan. The Discharge Report had been submitted in October 2016 and the Abstraction Report in May 2017. SEPA then consulted with SNH and with the general public and confirmed having received responses from SNH, GFT, River Bladnoch DSFB and individual proprietors.

He was now at the stage of drafting the Licence in view of all the representations. He would then put it up to SEPA’s legal team to look over at the beginning of September and if it was approved by them then it would be issued by late September, if not then SEPA would seek an extension of the four month time limit for dealing with the original application.

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John emphasised that any Licence granted would be subject to very strict conditions which would be enforced.

The three areas of concern:-

1. **Screening**

John explained that SEPA have their own experts both with fishing and with Distilleries and following consultation with them the draft Licence at present provides for the applicant installing a 25 millimetre screen at the laid inlet and at the discharge both screens to be in place all the year round.

As this may not be good enough for preventing smolts getting through then an additional condition provides that a 10 millimetre screen be erected at the intake during the smolt run which SEPA took to be from 1st March to the end of June. (Jamie Ribbens confirmed this at the meeting).

The applicant has been advised of this and it is up to them now to go away and come back to SEPA with their plans for appropriate screens. John will ask for a site visit to check the position of where the screens are to go since if on the intake it is not right at the start a bypass pipe would be required and it would be one of the conditions of the Licence that any such screens and pipes were fully and regularly maintained.

A copy of the Licence would be available once issued but the Licence will not be issued until SEPA have approved the applicants plans for the screens etc. the Licence will also have a date in it by which time the screens must have been installed. It was noted that the draw off pipe into the laid also had a fine mesh screen on it which required daily maintenance.

The meeting was generally happy with these proposals although the point was made that all screens must be robust enough to withstand storm damage and river spates.

1. **Abstraction**

John advised that he was well aware of the flow requirement down the river to keep oxygenation going and the Report they had received was ok up to a point but they were looking at ways of putting more water down the river at low flow. SNH had raised this as a concern and so had proprietors and the Board along with GFT. The bypass pipe should assist with this as it would be delivering 31 litres per second.

Jamie Ribbens then expressed concern about the weir as the bypass pipe would be coming out below it and he was concerned at getting fish into the pool above the weir which would require keeping the flow going over the weir. In his view abstracting water to the level which meant there was insufficient water going over the weir would be in breach of European Directives.

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Jonathan Haley then made a suggestion that a sluice gate be put in at the start of the lade to block it off when the Distillery was not producing. John Gorman advised that this was not practical as the lade must have a regular flow of water going down it at all times to keep it clear and clean.

Jonathan wondered whether it would be possible for the sluice to at least restrict the flow of water leaving just enough for cleaning purposes. It was noted that the company were receptive to putting some reduction in water abstraction in place during the summer and John will raise all this with them.

It was noted that the company are likely to carry out 46 distilling’s in a year and John was to find out how many days are taken up in each distilling. Finally the Report on abstraction has been accepted subject to John raising the outstanding points at the site meeting and thereafter report to SEPA’s experts.

1. **Discharge**

John explained that he had a very good background in dealing with all sorts of effluent and the Water Framework Directives. He explained that the biggest problem was copper and if the Discharge Report was satisfactory so far as copper was concerned then it would be satisfactory in all other respects. The report had passed the copper test and had been passed up the line for approval. The company were erecting storage tanks on site which would be controlled by a lunar clock so that discharges could be timed to commence half an hour after each high tide. This together with the cooling water being mixed in with the effluent to dilute it in the storage tanks then discharging into the laid where there is more dilution together with the influx of the Trammonford Burn was sufficient to meet the tests.

It was explained that the model looks at the lower tidal range and not the average.

John was asked if SEPA were able to change any of the conditions in a Licence once it had been issued and he confirmed that this could be done at any time. Jamie Ribbens expressed the Fisheries Trust main concern was the fish pass at the weir.

The meeting wanted to know how often inspections would be carried out and John explained that SEPA have a duty to inspect regularly and every one of the conditions in the Licence would be looked at, at least once a year but in many cases up to 12 times a year.

At the end of the day it was agreed that it was all down to the Licence being robust enough and in this respect SEPA could always be held to account.

There being no further matters the meeting closed at 7pm.

**DRAFT:- PMM/DMD RIVEB01-12**