Written submission from the River Tweed Commission

The River Tweed Commission welcomes the opportunity to comment on the draft bill.

The River Tweed Commission (RTC, formerly the River Tweed Commissioners) is charged under The Scotland Act 1998 (River Tweed) Order 2006 with the general preservation and increase of Salmon, Sea-trout, Trout and other freshwater fish in the River Tweed and its Tributaries, and in particular with the regulation of fisheries, the removal of nuisances and obstructions and the prevention of illegal fishing. The area of jurisdiction extends five miles out to sea and includes the coastline between Cockburnspath and Holy Island; it also includes all the waters that drain, or drain to some extent, to the sea in the Tweed District which are both in England and in Scotland. Powers under the above legislation are granted to the Commission to fulfil these duties. The RTC is not a Fishery Board although in many respects it is the equivalent of one for the Tweed District.

The RTC has been in discussion with the Association of Salmon Fishery Boards (ASFB) regarding its response to the draft bill and it strongly associates itself with the response made by the ASFB of which it is a member.

Whilst we understand that much of the proposed bill will not apply to the Commission or the Tweed District we nevertheless wish to comment on some of the detail.

Generally, the RTC is surprised that the draft includes proposals that were not consulted upon and does not contain other proposals that were included in the consultation.

The RTC itself is large and has 81 Commissioners representing proprietors, angling clubs and a wide cross section of the community with many interests mostly, of course, in fisheries. It meets four times a year and at its AGM all fisheries proprietors, not all of whom have a seat on Commission, are invited to come. It is a well attended meeting and is, for all intents and purposes, “public”. Whilst we do not oppose the principle of open meetings we would not like to conduct all our business in public. Indeed we believe such an approach would be counter-productive because it would undermine the strongly collegiate decision making process, emanating from our constitution, that exists on the River. In common with other fishery boards, some of the issues that we deal with are sensitive and are therefore we think that it is best that these are dealt by Commission alone.

The RTC strongly supports powers to introduce carcass tagging for all Salmon that are sold. This should be on a national scale with individually numbered and recorded tags and in concert with the rest of the UK. Any system that falls short of this will not achieve the goal of preventing the sale of illegally taken fish. We further encourage a provision to make the purchase of illegally taken fish an offence.

With respect to Section 25, whilst we generally support the provision to monitor orders we believe that this should only be for orders made on the initiative of the boards themselves; further we do not think it is proportionate to make non-compliance a criminal offence.
The RTC is fortunate in that it manages a river with a large run of Salmon. As such it is able to raise a significant assessment to fund its activities. The Tweed fisheries contribute great value to the local economy which was most recently estimated at £18m and provides almost 500 full time equivalent jobs. Other rivers are similarly important. We emphasise that is achieved at no cost to the Government or the taxpayer. Generally we urge the Committee to consider supporting fishery boards, especially smaller ones, who manage a great national asset.