Minutes of the CMPP Members' Meeting
4th April 2023
Online meeting

Chair: Anthony Gallagher (AGa)

Present: Voting Members

Alistair Gemmell (AGe), North Ayrshire Council
Elke Scheibler (ES), Field Studies Council
Penny Hawdon (PH), Bakkafrost Scotland
Graham Russell (GRu), Royal Yachting Association Scotland
Catherine Lambert (CL), Clydeplan
Mark Lodge (ML), Argyll and Bute Council
Lucy Kay (LK), COAST
Jan Brooke (JB), PeelPorts
Thom Ledingham (TL), North Ayrshire Council
Esther Brooker (EB), Scottish Environment LINK
Elaine Whyte (EW), Clyde Fishermen's Association
Zoe Clelland (ZC), RSPB
Willie Kennedy (WK), SSACN
Kerry Wallace (KW), NatureScot
Simon Limb (SL), British Marine Scotland

Present: Non-Voting Members

Chris Cutts (CC), CMPP Staff
Georgina Reid (GRe), Marine Scotland
Fiona Munro (FM), Marine Scotland
Alex Watson-Crook (AWC), Board
Howard Wood (HW), Board
Kieron Green (KG), Board
Kevin Braidwood (KB), (Board)
Simon MacDonald (SM)

Apologies:

David Hearton (DH), South Ayrshire Council
Richard Millar (RM), Scottish Canals
Ruth McIntosh (RM), CMAL
David Denoon (DD), SEPA
Stuart Tait (ST), Clydeplan
Neale Mcilvanney (NM), N. Ayrshire Council
Calum Duncan (CD), Scottish Environment LINK
Alan Bell (AB), Loch Lomond & Trossachs National Park

1. WELCOME AND APOLOGIES:

The Chair welcomed all attendees and read out the apologies as noted above.

The Chair also welcomed AGe, representing N. Ayrshire Council following Jim Miller's retirement, and EB, representing Scottish Environment LINK.

On behalf of the Partnership, the Chair thanked Fiona Mills (NatureScot), Derek Manson (Loch Lomond & Trossachs National Park), and Jim Miller (N. Ayrshire Council), who have all moved on from their roles, for their contribution to the Partnership over a number of years.

2. CHAIR'S REPORT:

Interviews were held for an additional CMPP officer to replace Sam McFarlane on 29th March; the post was offered to a new recruit, subject to due process, and a starting date is still to be determined (update: staff member is due to start on 10th May).

3. REVIEW OF ACTION POINTS FROM LAST MEETING:

Reference	Summary	Status
01/07/06/2022	CMPP to organise a scenario testing workshop for the new structure	We are aiming to run scenario testing workshops in summer 2023.
01/13/12/2022	CMPP Chair to write a follow up letter to the Minister following the meeting.	Postponed with a view to following up with new Cabinet Secretary, Mairi Gougeon in due course.
02/13/12/2022	Members to send Chris their individual thoughts on the structure recommendations report.	Completed; see Item 5
03/13/12/2022	CC to circulate meeting information and invite (Glasgow University workshop on climate resilient urban river edges using nature-based solutions.	Completed; CC attended workshop

The minutes of the meeting on 13th December 2022 were approved.

4. UPDATE ON THE REGIONAL MARINE PLAN & CMPP WORK:

CC updated members on MS comments received on the draft plan: the current wording of Policy ML2 would allow for it to be interpreted to apply to existing or partially constructed infrastructure and/or structures which would mean it is applying retrospectively. The Marine (Scotland) Act 2010 does not expressly authorise for any regional marine plan policies to apply retrospectively. A regional marine plan cannot impose new requirements on existing completed structures and infrastructure, or those currently under construction.

It was noted that the plan does not have any powers to enforce ML2 anyway, and enacting Policy ML1 would be done through the consenting regime.

It was agreed to remove ML2 as a policy and include as a management recommendation.

CC also updated members on comments received on some of the assessments: the CRWIA, ICIA, EQIA and pBRIA, and noted that most of the comments were comparatively minor. However, the point was raised by MS that the pBRIA describes two options: do or do not implement the plan whereas the SA-SEA describes three options with the third being that the RMP sets out spatially preferred locations for all types of marine activity taking into consideration constraint in terms of suitability, use by other sectors, areas protected for nature conservation and habitat/species sensitivity.

It was noted that this third option was never intended to be implemented at this time; the plan should be adopted before extending the remit to spatial considerations; we should not consult on what we can't presently deliver; and that we must move fast to consultation especially since there is a lot of present activity on other plans and frameworks e.g. NMP2 and NPF4.

It was also noted that the information in the third SA-SEA option would be useful to keep now we have it, perhaps as an appendix to the SA-SEA, but it was overall recommended that the assessments must match i.e. two options for both.

CC noted that subsequent to comments on the above assessments coming in, the comments on the SA-SEA and HRA had also been received but too late to discuss at the meeting; these would be checked for corrections and whether the same comment on options was in the SA-SEA corrections.

Action 1: CC to make corrections to assessments and circulate to members.

5. FUTURE GOVERNANCE STRUCTURE / CONSTITUTION / OPERATIONAL GUIDANCE / SCHEME OF DELEGATION

CC presented the revised **governance structure** paper with corrections submitted by members incorporated.

- Noted that within the varying responses to licence applications e.g. 'in line with plan / not in line with plan' there should be a further option response of 'consistent with plan but in the wrong place';
- Also replace 'fishermen' with 'fishers';
- Noted that within the delivery group, some member organisations will have statutory responsibilities and that there should be a statement to this effect within the description of 'Delivery Group'; there will inevitably be differences of opinion within this group;
- Noted that the plan has statutory functions we can all agree on, and that non-statutory aspirations of the CMPP can be discussed further;
- Noted that further outreach to Community Councils is required to see how the Community Council working group can work effectively by explaining the opportunities of being on the Working Group and making them comfortable in not being on the Delivery Group;
- Noted that the corrections do largely capture comments made by members;
- A further comment should be added to Delivery Group function noting that everyone should be cogniscant of each others' duties;
- Members /organisations are entitled to comment outside the statutory requirements of the plan and research is a legitimate interest of the partnership, provided there is full transparency;
- Noted that there might be unintended consequences of not objecting to developments that meet statutory requirements, analogous with terrestrial Permitted Development Rights;
- Noted that we are not the decision maker, we are making a response to a licence application.

Action 2: CC to amend structure report, clean up by removing track changes and circulate to members.

CC presented a revised version of the current **Constitution** incorporating amendments to the governance structure and invited feedback. It was clear however that there was a need to conduct a thorough redraft of the Constitution with the following points noted:

- Due to proposed changes there is the potential for a very large membership raising the question as to whether a larger membership would all be represented on the delivery group?
- Questions arose as to the composition of the delivery group, including who will make the decisions on new member uptake?
- It was stressed that each sector should be fairly and equally represented on the delivery group, whilst the board would be non-sectoral;
- A mechanism for participation on the Delivery Group should be developed, including reference to the qualification for membership; the application process; and the role of members.
- The new constitution should include a communication and social media policy.

In order to redraft the constitution, it was decided that a first step would be to gather member input into addressing key questions on membership.

Action 3: CC to circulate specific questions on Constitution revision to members, especially around membership and Delivery Group participation.

CC presented a **Scheme of Delegation** outlining who has powers to carry out various activities and who has delegated them, and invited comment.

- Noted that the reference points within the scheme are contingent on the Constitution;
- Noted that a cleaned up governance report answering the remaining queries on operation will lead onto a revised constitution, and in turn a scheme of delegation;
- Suggested that the scheme requires a finer level of detail e.g. financial spend limits;
- Suggested that instead of the present format, a matrix be created e.g. who does work, who is consulted, who approves e.g. Delivery Group;
- Query regarding investments and what our appetite for risk is, and perhaps remove the clause on investments in the Constitution;
- Noted that further work on the Scheme will follow on from finalising the governance report and the constitution, following a set of questions on how to make the constitution fit for purpose.

7. SMEEF APPLICATION – FLOATING REED BEDS AT GSC

CC gave an update on the floating reed beds at the Glasgow Science Centre, for which CMPP assisted in the grant application; the reed beds were installed in early March and the whole project has been very successful. University of Glasgow staff carried out baseline monitoring and have prepared a long term monitoring and evaluation plan to be carried out by students and staff, funds permitting.

8. MEMBERS' UPDATES

Members' updates were circulated before the meeting with time scheduled for any additional updates at today's meeting.

Clydeplan

- National Planning Framework 4 (NPF4) was adopted and published on 13th February 2023 by the Scottish Ministers. NPF4 now forms part of the statutory development plan and supersedes NPF3 and Scottish Planning Policy (SPP) (2014). As of this date, Strategic

Development Plans (SDP) and associated supplementary guidance will cease to have effect and as such no longer be part of the development plan.

- Adopted LDPs continue to be part of the development plan, with their existing land allocations being maintained, however, the local authorities within Glasgow City Region are now working towards the development of new LDPs within the context of NPF4 and the new system. The Scottish Government have indicated that they expect work on Regional Spatial Strategies to commence once they publish guidance which is anticipated in late 2023/early2024.
- Clydeplan is currently working on the initial development of a Regional Spatial Strategy (RSS) for Glasgow City Region. This will be with through our existing joint and collaborative working structures; this will include our constituent Authorities as well as partners in the public and private sector. It is anticipated that Scottish Government guidance relating to the RSS will be published later in 2023.

RYA Scotland

- GR had a meeting with NatureScot staff, including Sam McFarlane, to discuss Highly Protected Marine Areas. RYA Scotland has responded to the consultation on the process of identifying HPMAs.The consultation deadline has now been extended.
- RYA Scotland is putting together its response to the current consultation on the energy strategy for Scotland. The strategy is rather weak on matters relating to future propulsion systems for boats. RYA Scotland has started talking to the Clyde Fishermen's Trust about that. Work is beginning on collecting wave and weather data for the Machair wind farm, which is one of the Scotwind sites. Although this would be located NW of Islay it is not obvious which port or harbour would be used as a shore base as Oban is already very busy. If a base in Northern Ireland is not chosen there may be an opportunity for Campbeltown or perhaps another Clyde port.
- RYA Scotland has had positive discussions about the future of the Crinan and Forth and Clyde canals with Scottish Canals new Head of Customer Experience and Delivery.
- Finlo Cottier has been appointed as the new CEO for RYA Scotland.
- Work has started on building the new Govan bridge across the Clyde.

NatureScot

- HPMA consultation has been extended and is now running until the 17th April - https://consult.gov.scot/marine-scotland/scottish-highly-protected-marine-areas/
- In relation to NPF4, policy 3, which is relevant to the intertidal area, and parts 3a&d apply to aquaculture - SG are beginning their guidance development process for this and NatureScot sit on the steering group.

Crown Estate Scotland

In 2022 CES finalised a 'root & branch' review of aquaculture lease terms. The revised lease terms come into effect from January 2023.

Details of changes can be found here Aquaculture overview - Aquaculture - Scotland's property - Crown Estate Scotland but in summary:

- An annual Reporting requirement on Management of Marine Plastics for all tenants, and on participation in Collaborative Management Agreements for finfish tenants. The first reports are due January 2024 and will be published on CES's web site. A summary report has to be

submitted on plastic procured and disposed of on all aquaculture leased sites. Finfish tenants have to also produce a summary report of where they are working with other finfish operators to manage cumulative impacts from sealice.

- All tenants will be required to submit an annual Declaration of what equipment they have deployed on leased sites and confirm its secure installation and well-maintained condition.
- Changes to the way rents are assessed, this has resulted in an increase for finfish to bring them in line with other sectors in the marine environment.
- Charges have been introduced for Lease Option Agreements (where seabed is reserved to allow time to gain necessary consents) and these have also had the statutory consent deadlines extended by a year, providing a longer period for grantees to prepare applications for regulatory authorities.

Bakkafrost Scotland

Proposed RAS development

Bakkafrost are in the early stages of proposing a Recirculating Aquaculture System ('RAS') development, to be located at the Hunterston Construction Yard.

- RAS technology is an enclosed, land-based, environmentally friendly aquaculture system, which allows fish to be reared for longer in freshwater tanks before being moved to marine sites elsewhere in Scotland.
- The proposal will have innovation at its heart and will allow greater control of the freshwater rearing environment. This means larger juvenile salmon (smolt) are produced, shortening the marine production cycle and in turn reducing the biological risk of rearing at sea.

A Planning Application Notice was submitted to North Ayrshire Council on 19th January 2023 and Bakkafrost are working with a planning consultant to prepare a planning application for this proposal.

We have held public engagement events in Fairlie, Millport and West Kilbride, and the views and opinions we have received at these events will be used to inform the planning submission. We are still able to receive views until 13th April, via the following email - advice@mcinally-associates.co.uk. Information on the proposals is available on our website at www.bakkafrostscotland.com.

RSPB

RSPB, alongside WWF and The National Trust has helped establish the UK's first nationwide Citizen's Assembly on nature, involving 100 citizens from across the UK and resulting in the People's Plan for Nature, which includes a range of calls to action for government, industry, individuals and NGOs. This includes a section on marine and includes calls for greater marine protection and remote monitoring of fishing. You can read the report here.

RSPB Scotland is supporting SE LINK's ocean recovery campaign, calling for designation of Highly Protected Marine Areas, banning all damaging activities from at least 10% of Scotland's seas.

March saw the end of the successful delivery of the RSPB led Garnock Connections Landscape Partnership project, which we marked recently with a thank you event for partners, volunteers and community groups. 28 projects were delivered as part of the £2.1mill Lottery funded scheme, covering the Garnock catchment from Lochwinnoch to Irvine. This included several projects with a

marine focus including providing all ability access to beaches, dune restoration, oral history of the marine industries of Irvine, building 2 skiffs and creating a new coastal rowing group in Irvine and restoration work on the Garnock tug at the Maritime Museum.

Marine Scotland

- MS has provided feedback on all of the associated assessments for the Clyde RMP
- Recruitment for Team Leader (Sophie's old post) post is ongoing, we expect someone in post end April
- New FM and re-shuffle of the cab secs and ministers. Mairi Gougeon is now Scottish Cabinet Secretary for Rural Affairs, Land Reform and Islands. Màiri McAllan is now Cabinet Secretary for Net Zero and Just Transition.
- **NMP2 Updates** - the national marine planning team have been working on the initial phase of development with developing the vision and objectives (reviewing existing policies and commitments, we will be engaging with internal and external stakeholders, more info to follow) and starting work on the Sustainability Appraisal and associated assessments.
    - **NMP2 Webinar: What's on the horizon? Thursday 20th April, 1pm. Online.** To book your spot, **sign up here**.
    - **Save the date: National Marine Planning Forum.** Stakeholders will be invited to take part in a cross sectoral discussion on marine planning in Scotland and the future of NMP2. The first event is planned for **15th June 2023** - More details will follow soon.
- End of Grant reporting requirements must be with us by 18th April 2023

Clyde Fishermens' Association

CFA has been carrying out carbon footprint events in Glasgow and Campbeltown, events for training young people, and are following HPMA discussions closely.

Inshore Fisheries Group

SM is no longer the chair for the West Coast IFG, and is now a consultant in the fields of fisheries, aquaculture and processing.

Scottish Environment LINK

The SeaScotland conference is now open for registrations (8th June, Edinburgh Climate Change Institute), and the theme is 'From Land to Sea'.

9. AOB

There was no AOB.

DONM: tbc

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