Minutes of the CMPP Annual Members Meeting

12th December 2023

Online Meeting

Chair: Anthony Gallagher (AGa)

Present: Voting Members

Paul Bancks (PB), Crown Estate Scotland
Jan Brooke (JBr), Peel Ports
Zoe Clelland (ZC), RSPB
Calum Duncan (CD), ScotLINK
Sandie Downie (SD), SEPA
Gary Doyle (GD), Clydeport
Kieron Green (KG), Argyll and Bute Council
Mark Griffin (MG), SWRIFG
Penny Hawdon (PH), Bakkafrost
David Hearton (DH), South Ayrshire Council
Lorraine Holdstock (LH), Argyll and Bute Council
Lucy Kay (LK), COAST
Willie Kennedy (WK), SSACN
Catherine Lambert (CL), Clydeplan
Thom Ledingham (TL), North Ayrshire Council
Corrie McCall (CM), CMAL
Graham Russell (GR), Royal Yachting Association Scotland
Elke Scheibler (ES), Field Studies Council
Kerry Wallace (KW), NatureScot
Elaine Whyte (EW), Individual

Present: Non-Voting Members

Jill Bunyan (JBu), CMPP Staff
Chris Cutts (CC), CMPP Staff
Alex Watson-Crook (AWC), Board

Apologies:

Neale Mcilvanney, (NM), North Ayrshire Council
Georgina Reid (GR), Marine Directorate
Lisa Reilly (LR), Peel Ports
Sophie Sellers (SS), Marine Directorate

1. Welcome and Apologies

The Chair welcomed all attendees and read out the apologies as noted above. Members were informed that Charlie Simcox has left Clydeport and therefore stepped down as a permanent Board member. He is being replaced by Gary Doyle who is the Group Harbour Master for Clydeport. Members were also informed that Howard Wood from COAST has stepped down as a non-permanent Board member. The Chair thanked Charlie and Howard for their contributions to CMPP.

2. Chair's Report

The Chair noted the Chair's report provided within the meeting papers, which reflects the activities of the Partnership over the last year. The fourth draft iteration of the Plan was submitted to Marine Directorate in September 2022, and the Associated Assessments were submitted to Marine Directorate in July 2022. Comments and feedback from Marine Directorate on The Plan and its Associated Assessments were received by CMPP in April 2023. Changes were made as necessary, and the Plan and the assessments were returned to Marine Directorate in June 2023. A gateway review was conducted by Marine Directorate of all of the draft RMPs (Clyde, Orkney, and Shetland) and advice was submitted to the Cabinet Secretary regarding regional marine planning. The CMPP were notified of this on 12th July 2023. Further comments and feedback following the gateway review were received by the CMPP on 23rd November.

As the Plan and its Associated Assessments have been sitting with Marine Directorate for review for the majority of this 2023, the CMPP team have been working on revising the governance structure, which was broadly agreed on in early 2023. The CMPP team have worked on producing operational guidance, a scheme of delegation and a social media policy. A successful in-person workshop was held in September 2023 to address the key issues in the Constitution that need to be revised to bring it in line with the governance structure. Revision of the Constitution is ongoing, with a second draft being circulated with members at the end of November 2023. Discussion of the feedback will be held during the Members Meeting.

There have been various staff changes in the CMPP over the course of the year. Sam McFarlane left her post as CMPP Co-ordinator in January 2023 to take up a post at NatureScot. Fiona Mills left NatureScot in March 2023, with Chris Leakey, NatureScot Marine Planning and Natural Capital Manager, taking over line management duties thereafter. Finally, Jill Bunyan joined as a second CMPP Officer in May 2023.

The CMPP team were notified upon receipt of the Grant Letter from Marine Directorate in October 2023 that funding for Clyde 2020 had been removed from the Grant 23/24. However, there is ministerial support for the Clyde 2020 to accept CMPP's invitation to become part of the new governance structure. This is a decision for Clyde 2020 to make. A Clyde 2020 meeting will take place on 13th December.

Following on from a successful joint bid from CMPP, Glasgow Science Centre, University of Glasgow, and Scottish Enterprise to the Scottish Marine Environmental Enhancement Fund in 2022, a floating estuarine habitat was installed in the Canting Basin of the River Clyde. A launch event was held by Glasgow Science Centre in March 2023. The CMPP team were notified in December 2023 that the project was awarded the first Peel Ports Group Marine Environmental Award. The Award recognises achievements to increase local biodiversity and is focused on projects which deliver local environmental improvements to society, the environment, and the economy. The prize will be awarded in January 2024.

The CMPP submitted a letter of support for the Transformative Research Actions for Resilient Coastal Communities (TRACC) bid in November 2023. This will be discussed in more detail during the Members Meeting.

3. Permanent Board Members

Current permanent Board members are as follows:

1. Kevin Braidwood, South Ayrshire Council
2. Gary Doyle, ClydePort Operations Ltd.
3. Allan Finlayson, North Ayrshire Council
4. Kieron Green, Argyll and Bute Council
5. Catherine Lambert, Clydeplan
6. Kerry Wallace, NatureScot

CMPP Board changes:

Organisation	Previous representative	New representative
NatureScot	Fiona Mills	Kerry Wallace
North Ayrshire Council	Jim Miller	Allan Finlayson
Clydeplan	Stuart Tait	Catherine Lambert
ClydePort Operations Ltd.	Charlie Simcox	Gary Doyle

4. Appointment of Non-Permanent Board Members

Three nominations were received, and these are noted below. The maximum number of non-permanent Board members is six, therefore no voting was required. Nominations required support from two other members; indicated below.

- Alex Watson Crook nominated herself for re-election and this was supported by RSPB and ScotLINK.

- Mark Griffin nominated himself for election and this was supported by Bakkafrost and RYA.

- Elaine Whyte nominated herself for re-election and this was supported by Argyll and Bute Council and Bakkafrost.

ZC asked for clarification on whether there was provision for the election of non-permanent Board members during the course of the year, rather than only at the

AMM. Currently there is no provision in the Constitution that allows for an Extraordinary General Meeting to be called, whereby other non-permanent board members could be elected during the course of the year. It was noted that this action could be undertaken retrospectively at the next AMM if a member wished to nominate themselves to become a non-permanent Board member during the year.

5. **AOB**

There was no AOB.

6. **Close**

The AMM concluded at 2.20pm

Minutes of the CMPP Members Meeting
12th December 2023
Online Meeting

1. Welcome and Apologies

As per the AMM.

2. Chair's Report

As per the AMM.

3. Review of action points from the last meeting

Reference	Summary	Status
01/07/06/2022	CMPP to organise a scenario testing workshop for the new structure	Ongoing. The aim was to carry out this workshop in Summer 2023, however this will be delayed due to other priorities.
01/13/12/2022	CMPP Chair to write a follow up letter to the Minister following the meeting.	Ongoing. Postponed with a view to following up with new Cabinet Minister Mairi McCallan in due course. Correction made as this was originally stated as Mairi Gougeon.
01/18/10/2023	Conditional on timing of feedback from MD, CMPP staff to circulate a letter outlining concerns to members before submitting to MD.	MD got in touch re: plan review
02/18/10/2023	Partnership members to submit any comments (on Constitution) in writing by 1st November 2023.	Completed
03/27/06/2023	CMPP staff to circulate an amended draft of the Constitution.	Completed

04/27/06/2023	CMPP staff to circulate update on Resilient Seas application once available.	Completed

EW commented in relation to action 01/18/10/2023, she is not concerned about the timeline of MD sending the draft Plan back to CMPP. Concerns were highlighted by other members at the previous meeting about the length of time it has taken, however it was noted that there is a need to get this process right and if that takes longer, EW is ok with that.

4. Resilient UK Coastal Communities and Seas Grant Application

16 projects were shortlisted from the EOI bid that was submitted in July for UKRI Resilient Seas Programme funding. The TRACC bid was one of them, of which the Clyde has been identified as one of the case studies to be included in the project. The project will be centred around co-creation and developing mechanisms that support coastal resilience. Much of the work will be embedded in community engagement. CMPP are unlikely to hear for several months if the bid has been successful or not.

Members expressed different views on the bid. EW commented that members dedicate their time to CMPP to develop the Plan and they remained concerned about the project drawing on capacity and resources of the CMPP, and how the fishing sector was represented in the text of the bid. Other members agreed that the point about capacity was important, but several noted that they were in support of the bid because of the additional capacity that was going to be offered by the project through an FTE at University of Glasgow. Projects of this nature rely heavily on community and stakeholder involvement, which potentially may require time and resource from CMPP members to provide input. The point was made that when making decisions like this, it is extremely important the view of the member organisation is represented. It was noted here that EW is a member of CMPP as an individual and brings their knowledge and expertise from working in the fishing sector to represent the views and needs of the industry. CFA is not a member. Some members expressed positive comments on the process of how the CMPP gathered the views of members and it was a good practical exercise to demonstrate how we can discuss being involved in projects in the future.

Action: CMPP team to keep members up to date with any information relating to the TRACC bid.

6. Update on Regional Marine Plan

GR and SS could not attend today's meeting. GR and SS have offered to meet with the CMPP on Wednesday 10th January, 11am-1pm, to go through the feedback with members and answer any questions.

CC went through the feedback that the CMPP received in November. The document was shared with members in the meeting papers. The feedback was broken down into 13 items:

1. Creating obligations

2. The role of consenting authorities
3. Objectives and remit of the RMP, issues with competency
4. Unclear distinction between vision, aims, guiding principles, objectives, policies, recommend actions.
5. Guidance
6. Statutory policy framework
7. Definition of 'public authorities'
8. Application of policies
9. Lack of clarity in policies and objectives
10. Reiteration of the law/requirements
11. Plan length and structure
12. References to acts
13. Minor feedback/other

This feedback has come from the Legal team at MD, but we need clarification if any other department has had sight of it. MD are concerned with the Plan stepping out with the remit of the Marine (Scotland) Act 2010 based on the way the Legal team interpret the Act. CC and JBu met with GR, SS and Lewis Hurley on Friday 24th November to initially discuss the feedback. AG, CC and JBu met with SS and Lewis Hurley on Wednesday 29th November for further discussion. AG, CC and JBu met with the MPPs in Orkney and Shetland on Monday 11th December to discuss the feedback they had received, as it was broadly similar and contained many of the same items and concerns. MD have proposed two options to the CMPP: Option 1 is to pause the development of the CRMP until the adoption of NMP2 (predicted timeline end of 2025); and Option 2 is to undertake a review of the Plan based on the feedback received from MD and come to an agreement on changes that are necessary to move to the next stage of the development process. MD have expressed they are committed to support the CMPP if we choose option 2.

Key discussion points from members:

- Frustrating and horrified that CMPP are only receiving this feedback now considering how long this process has been going on for.
- Why did Legal not have sight of the Plan before now?
- There are topics in NMP that are quite vague and are going to need to be strengthened in NMP2. This could impact on the policies in the CRMP so there needs to be compatibility between the two.
- Don't think many members would have agreed to be part of this development process if they knew how long it would take. MD need to understand there has been a real failure in how they have supported/not supported this process.
- The meeting with MD in January must have the right people that can answer our questions and address our concerns.
- Members agreed CMPP needs more information from MD before we can proceed with making a decision on the options proposed.
- If MD are essentially disagreeing with CMPP on how a regional marine plan should look, based on their feedback, we need clarity from them on how they

think a regional marine plan should look and what regional marine planning should be achieving.

- Policy wording needs to be very clear and you cannot use loose terminology that is ambiguous. Many of the suggestions MD have made in the feedback would lead to ambiguous wording that would make it difficult for decision makers.
- If we do decide to take MD's suggestions to use different terminology in the policies, it would be useful to understand the way MD would interpret the phrases like 'should take in account', 'should consider' when making decisions. We would need clear guidance.
- SEPA and Peel Ports as regulators, agreed the feedback is very confusing. Original understanding was the Plan was going to guide decision making. If the wording of the policies is watered down, how are regulators supposed to judge and make a decision on whether or not something has been done in line with the policies or in line with the Plan? Different regulators could interpret the language differently. If the Plan is not going to tell the regulators how to make decisions in the Clyde region, MD have to be the ones to do it. Otherwise, we will continue with existing guidance and nothing will change.
- If ambition is not going to be raised where we agree it needs to be raised, what is the point of the Plan?
- Feels like the goalposts have been moved without us being aware of it.
- Has what the communities said they wanted to see in the Plan during the pre-consultation been taken into consideration with this feedback? Highly doubt they are going to want the policies to be watered down.
- If strong clear wording is allowed in the English Regional Marine Plans, why is it not acceptable in Scotland?
- Have the SEA and other assessments been taken into consideration by MD? If we make substantial changes in the Plan, we won't achieve the same outcomes in the assessments.
- Having no plan may be worse than having a plan that is weaker in language and ambition. Agree on what you are willing to compromise on and what you are not.
- If we decide to pause development of the CRMP, we could go ahead with working on the Action Plan. In order to still be in line with our grant objectives, we would need to propose to MD what work we would undertake as CMPP in the meantime until NMP2 is adopted.
- A list of questions should be sent to MD in advance of the meeting on the 10th, so they are prepared to answer them.

Action: CC and JBu to collate a list of questions based on the discussion at the Members Meeting and send to the Regional Marine Planning team at Marine Directorate by the 21st December.

7. Revised Constitution

JBu circulated a second draft of the new constitution was circulated on the 30th November with members containing track changes. A Google document containing

the updated Delivery Group text was circulated on the 22nd November containing track changes and comments with alternate suggestions that would allow members to comment on and see other comments. Changes have been made to the Delivery Group text and the review text. New sections have been added in relation to the Task Groups, the Community Council Working Group, and the Sectoral Working Groups. JBu acknowledged upon re-reading the second draft there are still parts of the text that need clarification. A third draft will be produced for the next members meeting in February and members are welcome to submit further comments to JBu to incorporate.

Members highlighted that the application and approval process for the Delivery Group is still not clear, and there needs to be clear text that outlines how the statutory bodies will be involved in the DG *vs.* the involvement of other members representing sectoral interests. It was noted that partners that sit on the DG should be there for their relevant knowledge and expertise, it isn't only about partners representing their organisation or sector. There may be great experts whose input on the DG would be very valuable, but they may not represent an organisation or particular sector. There needs to be a balance between having DG partners who have knowledge, but also DG partners that can reflect on the views of sectors. When it comes to developing the next iteration of the Plan, the CMPP needs to be able to understand what has worked and what hasn't for different sectors, and how the next iteration can be improved with their input.

Action: Members to submit any further comments on the Constitution to JBu by 29th January.

Action: JBu to work on a third draft of the Constitution and circulate with members before the next members meeting.

8. Members' Updates

RYA:

GR attended a meeting of the Forth Estuary Forum recently and they will be starting activity again. They are picking up work again without having a Plan in place. There are currently no staff in place.

GR attended a meeting about the pump storage scheme between Loch Fyne and Loch Awe in Argyll and Bute. There were discussions about installing a new pier. Noted that this is not something the CMPP thought about in the Plan.

Clydeplan:

There are ongoing discussions about governance. Glasgow City Region have appointed a new Head of Place, Ross Nimmo. He will begin his post in March '24. Part of his remit will be Clyde Mission. Would be useful to set up a meeting between him and the CMPP team once in post.

CL offered to provide a table of information on progress developments for each of the Local Development Plans in the eight Local Authorities. CMPP agreed this would be useful.

RSPB:

ZC informed the CMPP team that the Galloway and Southern Ayrshire Biosphere has updated its boundaries to include marine elements and it may be worth having a conversation with them in the New Year.

North Ayrshire Council:

The Council's Development Plan Scheme was approved by the Planning Committee so there is a new timeline, with a public consultation due to be held at the end of the summer in 2024. CMPP may be interested in engaging with that.

TL informed CMPP that the new Chief Planning Officer at the Council, Allan Finlayson, is keen to start attending these meetings in the New Year. Due to capacity, they have been unable to attend thus far.

9. AOB

ZC commented that CMPP did not approve the minutes from the previous meeting at the start of the Members Meeting. The Chair asked if any members had any objections to approving the minutes. The minutes were approved from the 18th October meeting.

10. DONM

The meeting with MD will take place on Wednesday 10th January, 11am-1pm, on Teams.

The date of the next members meetings has not been decided yet but will be in February.

Action: CC to send round a meeting invite to CMPP members for the meeting with MD.

Action: CMPP Team to discuss dates for the next Members Meeting and circulate a date with the members ASAP.

11. Close

The meeting concluded at 4.05pm

Actions Summary

Reference	Summary	Status
01/07/06/2022	CMPP to organise a scenario testing workshop for the new structure	Ongoing. The aim was to carry out this workshop in Summer 2023, however this will be delayed due to other priorities.
01/13/12/2022	CMPP Chair to write a follow up letter to the Minister following the meeting.	Ongoing. Postponed with a view to following up with new Cabinet Minister Mairi McCallan in due course. Correction made as this was originally stated as Mairi Gougeon.
01/12/12/2023	CMPP team to keep members up to date with any information relating to the TRACC bid.	
02/12/10/2023	CC and JBu to pull together a list of questions based on the discussion at the Members Meeting and send to the Regional Marine Planning team at Marine Directorate by the 21st December.	
03/12/12/2023	Members to submit any further comments on the Constitution to JBu by 29th January.	
04/12/12/2023	JBu to work on a third draft of the Constitution and circulate with members before the next members meeting.	
05/12/12/2023	CC to send round a meeting invite to CMPP members for the meeting with MD	Done
06/12/12/2023	CMPP Team to discuss dates for the next Members Meeting and circulate a date with the members asap.	