Minutes of the CMPP Members Meeting

7th May 2024

Online Meeting

Chair: Anthony Gallagher (AGa)

Present: Voting Members

Paul Bancks (PB), Crown Estate Scotland
Kevin Braidwood (KB), South Ayrshire Council
Jan Brooke (JBr), Peel Ports
Sandy Downie (SD), SEPA
Calum Duncan (CD), Scottish Environment LINK
Kieron Green (KG), Argyll and Bute Council
Mark Griffin (MG), SWRIFG
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
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:

Zoe Clelland (ZC), RSPB
Allan Finlayson (AF), North Ayrshire Council

1. Welcome and Apologies

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

2. Chair's Report

- Noted that AGa had met with Rebecca Hackett (Deputy Director of Marine Directorate) and Lewis Hurley (Head of Regional Marine Planning) to discuss grant letter objectives and methods of working going forward: MD will liaise directly with CMPP staff due to staff capacity rather than attend members' meetings; the importance of adhering to grant letter objectives was stressed and there was a desire to move faster re: enabling community engagement through the revised constitution;
- Noted that the CMPP staff have amended plan policies based on MD feedback and responded to MD but there is currently no capacity within MD to turn a response around quickly; furthermore, Georgina Reid has left her post and Sophie Sellers is currently off ill;
- Noted that the Regional Marine Planning Forum has been postponed; CMPP staff have been regularly meeting with the Orkney and Shetland RMP teams, and that Orkney has received new feedback on their plan after submitting their last tranche of changes and were not at the approval stage yet;
- Noted thanks to CL for organizing a meeting with CMPP staff and Ross Nimmo, the new Head of Place for Glasgow City Region.

The members agreed the minutes from the last members' meeting were accurate.

3. Review of action points from the last meeting

Reference	Summary	Status
01/12/12/2023	CMPP team to keep members up to date with any information relating to the TRACC bid.	Ongoing; see item 7
01/27/02/2024	Members to send comments pertaining to MD's fisheries feedback by Friday 1st March. A response will be written and circulated to members for comment. The response will be sent to Marine Directorate thereafter.	Done; See item 4.
02/27/02/2024	CC and JBu to add an extra column to the policies and recommendations table addressing the feedback. This will be used to identify any critiques of the feedback relating to language and evidence from policy and legislation related to regional marine planning that supports the CMPP's argument for using or retaining certain language. This will be circulated with the members before being presented to Marine Directorate for their consideration.	Done; See item 4.
03/27/02/2024	Any further comments or questions for MD from members about the feedback and amendment process to be submitted through CC and JBu.	Ongoing
04/27/02/2024	Members to send any further comments on the constitution to JBu by Tuesday 12th March.	Done.
05/27/02/2024	JBu to circulate an amended draft of the Constitution before the next Member's Meeting.	Done; See item 5.

06/27/02/2024	JBu to send an email with questions to Dr Mara Ntona and Dr Elaine Webster.	Done
07/27/02/2024	JBu to send an email to members with the full draft proposal and the response from Dr Mara Ntona and Dr Elaine Webster.	Done; no longer taking forward
08/27/02/2024	CC and JBu to provide an update on the Regional Marine Planning Forum.	Postponed.

4. Update on the Regional Marine Plan

- Noted that CMPP staff submitted a policy review document to MD for comment at the end of March, but have not heard back yet;
- Noted that amendments were on policies only, and used text from the NMP, MPS and English RMPs as an evidence base for amending policy language;
- Noted and thanked LH for commenting on the document especially on adhering to LA LDPs e.g. using text 'in accordance with' when aligning RMP policies with LDP policies;
- Noted that NPF4 has decreased protections on wild land, which may have implications on the SCAPE2 policy;
- Noted that it would be helpful to include relevant LDP policies as additions to the table in the review document;
- Queried as to what assurances there are that we won't get another suite of comments following submission of our revisions;
- Noted that for the NMP review, LAs must take enforcement decisions in accordance with the NMP and regional marine plans;
- Queried whether 'support' as mentioned in policies is a precise technical term;
- Suggestion that while the CMPP awaits a response from MD, we should consider what other actions to take e.g. facilitation, stakeholder engagement;
- Noted that JB, CC and AGa are meeting the Orkney and Shetland RMP teams on 13th May and it was queried how those plans are measuring objectives e.g. using Good Environmental Status;
- Noted whether in the Natural Heritage policies we should quote national legislation in the Marine (Scotland) Act and we should capture all comments from members as text options for MD to respond to;
- Noted that CMPP staff were informed that following GR leaving and SS being on sick leave that MD staff would be in touch in a few weeks.

Action: CMPP members to comment on policy amendments document by 24th May, and CC/JB to redraft and submit to MD.

5. Revised Constitution

- Thanks noted to members for sending comments on constitution to JB;
- Noted that 12 new appendices and one annex have been drafted, with some text removed from constitution e.g. processes moved to appendices with reference to that process remaining in the constitution;
- Where a process has been moved to an appendix, if there were any changes to the text it has also been kept in the draft constitution so members can see the track changes. A

comment has been added to the sections of text or processes to highlight that they have been provisionally moved to an appendix.

- Comments welcome on the list of appendices and if anything else should be moved to an appendix or should not be moved, as well as any more comments on the processes outlined e.g. delivery group, technical advisors, task groups
- A NatureScot employee who has expertise in partner agreements reviewed the document and sent comments on the 2nd May so they were not incorporated into this draft, but JBu will review the comments and incorporate them into the next draft;
- Agreed that there is no need for an additional workshop and comments can be shared by e-mail;
- Noted that members would have to reapply for membership under the new constitution.

Action: Members to send any further comments to JBu by 24th May;
Action: New draft to be circulated to members at beginning of June.

- Noted that NatureScot legal experts could look at the final constitution for approval as they did for the original constitution, and MD could also comment with a light sense check touch.
- JBu spoke to Sophie Sellers in February regarding MD signing off on the new governance structure and was told that MD are not required to legally check the documents but are required to be informed about the changes. SS was going to check this was correct but is off ill. JBu will follow up.

7. TRACC Update

- We are still awaiting an update on the TRACC grant application.

8. Consultation on facilitating marine restoration through legislation

- Noted that CMPP could lay out support that RMPs could bring to process which in turn could be reflected in NMP2;
- Noted that the definition of 'restoration' needs to be tightened up especially with regard to artificial reefs, and that saltmarshes overlap with terrestrial planning;
- Noted that there should not be a system of self-registration, rather that there be checks with a legal back-up, but with a lighter touch than the current licensing regime;
- Query as to whether CMPP could be a delegated power to administer the process locally;
- Noted that the response must be mindful that restoration can't be in conflict with Fisheries and Aquaculture;
- Noted that Statutory Harbour Authorities should definitely be recognized and there could be a navigational code of practice;
- Query as to who decides what needs to be restored e.g. more clarification is needed for seagrass;
- Noted that an application process filter is important since licensing isn't geared for restoration in a bespoke way: aquaculture permits are typically used;
- Noted that there is a need for a strategic discussion on what restoration is needed where e.g. feasibility and modelling; RMPs could play a role in this;

- Noted that there should be a system of checks and balances in place e.g. sourcing seed material;
- Noted that there could be unintended consequences around exclusivity of use: sites may be limited, and that there are (not licensable) public rights e.g. fishing and anchoring;
- Noted that Marine Conservation Orders (MCOs) are a management tool and not necessarily prohibitive, however they may be used to exclude activities with unintended consequences;
- Noted that there is a balance to be understood between the cumulative impacts of MCOs and PMFs
- Noted that since this consultation has come about with a view to streamlining consenting, that there is a wider issue of dealing with licensing as a whole.

Action: CMPP staff to redraft consultation response in the light of submitted comments and discussion above, and submit response by 16th May.

9. Member's Updates

Clydeplan

- The governance review continues with the last two Councils considering withdrawing from the Clydeplan Joint Committee this week. Once this has happened the JC can be wound up and the TUPE process for the staff can start to move us to the Glasgow City Region under the new Head of Place (Ross Nimmo);
- The Glasgow and the Clyde Valley Green Network have just launched their new website: https://bit.ly/3TWcslo;
- Green Network vision launched for City Region - GCV Green Network;
- GCV Green Network Spring Newsletter is also out now: https://mailchi.mp/ed39ba17bd90/spring2024?e=60df08146b

- Clyde Peatlands project complete.

RYAS

- RYA Scotland will be running a publicity campaign over the summer to remind members about how to minimise adverse environmental impacts from boating activities. This will be grounded in The Green Blue advice. TGB is now wholly run by the RYA.
- The RYA is working with other organisations as part of the Clean Water Sports Alliance. The aim is to improve water quality. RYA Scotland supports the aims but recognises that the situation in Scotland is different both because Scottish Water is publicly owned, unlike in England, and because many important sailing areas are away from urban centres and have different water quality issues. RYA Scotland will be happy to work with bodies such as Scottish Water and SEPA on water quality issues, for example by publicising good practice.

Argyll and Bute Council

- LDP2 Technical Notes are being finalised and will hopefully be accepted in August by the full Committee.

North Ayrshire Council

- The Irvine Harbour Masterplan has been approved.

10. AOB

- Noted that a NMP review questionnaire has been circulated with a closing date of 25th May.

Action: CMPP staff to compile a response for comment and submit before 25th May.

11. DONM

The date of the next meeting will be Tuesday 20th August 2024, 10am-1pm.

12. Close

The meeting concluded at 12.20pm.

Action Point Summary

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02/07/05/2024	Members to send any further comments on Constitution to JBu by 24th May.	
03/07/05/2024	New constitution draft to be circulated to members at beginning of June.	
04/07/05/2024	CMPP staff to redraft marine restoration consultation response in the light of submitted comments and discussion, and submit response by 16th May.	
05/07/05/2024	CMPP staff to compile a NMP review questionnaire response for comment and submit before 25th May.	