

Meeting Minutes

Meeting title: Forth & Tay Regional Advisory Group (FTRAG) – First meeting
 Date: 22 April 2015
 Time: 11:00 – 14:00
 Venue: Marine Scotland, Marine Laboratory Conference Room, Aberdeen.

Attendees:

- MS - David Palmer (Chair); Jim McKie (JM); Danny Pendrey (DP); Roger May (RM); Nicola Bain (NB); Paul Smith (PS); Rob Main (RMn); Andrew Nicol (Sec).
- SNH - Erica Knott (EK); Catriona Gall (CG)
- JNCC - Karen Hall (KH)
- Mainsteam - Ewan Walker (EW); David Sweeney (DS)
- REPSOL - Stephen Kerr (SK); Esther Villoroia (EV)
- SSE Renewables - Kate Potter (KP); David Scott (DSc)
- ASFB - David Summers (DSu)
- WDC - Fiona Read (FR)

Apologies - Charles Nathan (RSPB)

Item	Agenda Item
1.	<p>Introduction</p> <p>1.1. Chair welcomed everyone to the meeting. Round table introductions conducted.</p> <p>1.2. Apologies received from Charles Nathan (RSPB).</p> <p>Roles & Responsibilities</p> <p>1.3. JM highlighted the meeting is for high level items. For next two meetings Marine Scotland provide chair, secretariat support and arrange venue.</p> <p>1.4. Following this a nominated chair will take the role on permanently. As Marine Scotland are acting on behalf of Scottish Ministers it would be a conflict of interest to retain the role as Chair.</p> <p>1.5. In the future representatives from Marine Scotland Licensing Operations Team will attend as required in a non-voting capacity.</p>

2.

FTRAG ToR Sign-off

2.1. Chair stated the Terms of Reference (ToR) had been issued before the meeting and confirmed the aim was to discuss content and seek agreement on Terms of Reference.

2.2. EK reminded group this was everyone's opportunity to comment on Terms of Reference and role of group.

Background

2.3. DS asked if it was necessary to re-state conditions, which could reduce length of document if removed. EK stated it was useful to have them in the document as a reference. SK stated the document is a mix of narrative and quotes and suggested conditions are an attachment to the ToR to improve flow of document.

2.4. Agreed conditions would be removed from main body and added as an annex/appendix to the Terms of Reference.

2.5. EW asked if developments (e.g. NnG) could be added to the first sentence and also consider future events and changes such as licences, technologies, and developers.

2.6. SK stated the list of attendees are on page 7 so no need to list developers earlier as suggested by EW.

Aims & Objectives

2.7. KP suggested reference to SpORRAn could be discussed in more detail. Also confused by aims and objectives as there is more detail than required which could be reduced and simplified with bullet points.

2.8. The issue and role of PEMP, EMPs and the group was discussed. Considered there was sufficient scope in the ToR to allow this to develop once it was better understood.

2.9. The need for clarification on the role of an ECoW was raised and discussed by the group. The role of the ECoW should be defined and made clearer. The group was made aware that we are currently developing the scope of works for the ECoW.

2.10. SK asked who has approval to change plans after they have been approved by the Scottish Minister. The process is not clear. DP stated this would be the role of the group to develop and approve change recommendations for submission to Scottish Ministers.

2.11. The role of the group was discussed emphasising the main purpose of the group is regional co-ordination of an area for the life of the development, rather than being involved in the project management of individual developments. KP stated the ToRs should include this point and SK requested it is added the aims and objectives.

2.12. The group discussed the linkage between the RAG and SpORRAn. DP highlighted MSS will sit on both groups and can provide a linkage on what is raised and taken forward. Alternatively the two groups could merge and split time during meeting to discuss SpORRAn and RAG topics. SK

noted the linkage in the ToR is implicit rather than explicit, which could result in people forgetting their roles.

2.13. Group discussed relationship of PEMP and other aspects. Lack of information or sight of information may prevent agreement, which may need separate meetings to discuss and resolve. RM stated this would be the role of sub-groups who would look at specific issues and report back to the FTRAG. SK stated the fundamental role of the group needs to be considered, whether it is active or reactive, wants to wait for documents or develop documents. KG sees the group being active, developing regional plan before individual plans.

2.14. EK provided an explanation of what has been done for Moray Firth. RM explained sub-groups for birds and mammals have been set-up and there has been one meeting of the RAG. Meetings are ongoing to assist and inform individual plans, but these haven't been submitted to the RAG as they are still work in progress. RAG meetings have been scheduled for March and May 2015.

2.15. SK suggested FTRAG meetings may have to be front loaded to manage early work - development of processes and documents. EK suggested meetings should occur when an issue needs to be resolved rather than just have a meeting on sub-groups.

2.16. Chair confirmed it is for the group to decide if the role is active or reactive and would attempt to reflect this in the ToRs.

2.17. EW stated a structured methodology for submitting to groups is required. SK proposed there is a standing order to stating the need to communicate with other groups. RMn offered to develop a flow chart showing linkage between groups.

2.18. RMn reminded group this is all new at the moment and once groups are formed and start working it should become clearer. JM highlighted people need to understand they are working with an element of uncertainty.

2.19. Chair stated the ToR would be amended to broaden out what sign-off for the PEMP and EMP means and make the linkage between RAG and SpORRAn explicit.

Terms of Reference

2.20. SK raised a number of points to improve the ToR:

- Non-attendees should forego the opportunity to re-raise issues or re-visit decisions at subsequent meetings.
- Representations – are people providing an organisational, group or individual perspective
- Concerned about people in the group changing and the need to provide a consistent organisational view and not a personal perspective.
- Confidentiality of information has no retrospective action if it is breached.

- Dissemination of information needs to be agreed by FTRAG members to prevent release of confidential information. After a certain period of time it will be made public.
- Silence is agreement.
- Basic rule – people have to contribute.

2.21. Chair stated there was no difficulty in these, but will need to consider how they fit into the ToR.

2.22. EK stated the group is responsible for learning and publicising what has been learnt and disseminating information. Suggested this could be a standing item on the agenda to discuss and agree what information can be released.

2.23. The group discussed the approach, process and release of various types of information such as reports and documents. Although commercially sensitive information may not be released a pragmatic approach of extracting and releasing elements was proposed. SK was concerned about this information being released and being misconstrued. Consensus of group was release of any information had to be discussed and approved by the RAG.

2.24. A concern was raised on ToR paragraph 10 – number of meetings attended. This could restrict continuity of people attending meetings. It is expected people for organisations will change, but the ToR should not be encouraging change.

2.25. EW requested paragraph 3 is amended replacing 'post consent' with 'post construction'. NB confirmed it should read post construction.

2.26. DS stated he would be more content if paragraph 17 specified MS-LOT attended all meetings.

2.27. SK mentioned MS-LOT have no vote, but sought clarification on Marine Scotland Science position. JM clarified that Marine Scotland Science and Marine Scotland Policy can provide advice, but as MS-LOT are acting on behalf of Scottish Ministers they have to remain impartial. SK requested the ToR clarify on the list of attendees who has voting rights.

2.28. SK mentioned a consensus decision was needed and assumed this meant 100% agreement from group attendees. However, if there is not full consensus then all representations are to be provided to MS-LOT. NB stated all attendees, apart from MS-LOT, will have voting rights. However, voting will only be, for example, to appoint a new chair or TOR changes and not for changes to the plans or methodologies.

2.29. ES queried paragraph 13. EK confirmed if evidence is available this allows a recommendation to be submitted to Minister to change PEMP. JM clarified this covers future eventualities.

2.30. ES sought clarification on how representations will be captured and presented to Minister. SK saw this being a separate paper, rather than meeting minutes, being submitted to Minister. It would be the responsibility

	<p>of the FTRAG secretariat to develop papers in agreement with FTRAG prior to sending to MSLOT.</p> <p>2.31. Chair summarised ToR changes:</p> <ul style="list-style-type: none"> • Non-attendance does not allow issues or decisions to be brought up repeatedly. • Promote continuity of attendance • Silence is considered agreement. • Attendees are representing organisations view, not their individual perspective. • Thinking on pure commercial-in-confidence. • Clarify in paragraph 13 that a formal separate recommendation is required. • Review paragraph 12 in terms of MS-LOT. <p><u>Location of Meeting</u></p> <p>2.32. Agreed the location should take into account all people attending and the travel required.</p> <p><u>Membership & Frequency</u></p> <p>2.33. Refer to paragraph 2.7 for membership.</p> <p>2.34. SK suggested a short term plan to anticipate the next 6 months and understand the number of meetings required. EK stated there has been limited contact with each of the developers individually and it is difficult to understand where they are in the process.</p> <p><u>Costs</u></p> <p>2.35. Costs should be modest.</p> <p><u>Roles & Responsibilities</u></p> <p>2.36. No comments on content.</p>
<p>3.</p>	<p>Discussion around moving towards an East Coast/Scottish Group</p> <p>3.1. Discussion concluded this should not be rushed at this time. Marine Scotland Science has a desire to capture Scottish elements through sub-groups.</p> <p>3.2. The first sub-group meeting will look at how it could be broadened out to include any cross-over with Moray Firth.</p>
<p>4.</p>	<p>Appointing a Chair</p> <p>4.1. Chair re-iterated it is not appropriate for Marine Scotland to chair the meeting and will seek nominations on who should chair group. Informed group the chair could be external, for example developer or a statutory body.</p> <p>4.2. KH queried if same person can chair both RAGs. Chair confirmed they could, but may not be feasible given workload.</p> <p>4.3. Chair nominations are to be submitted by 22 May 2015.</p>
<p>5.</p>	<p>Date of Next Meeting and Frequency</p>

	5.1. RMn will arrange next meeting with a proposed date of 22 July 2015.
6.	<p>AOB</p> <p>6.1. SK announced he is leaving REPSOL and will not be at next meeting, but will advise who his replacement is.</p> <p>Closing Remarks</p> <p>6.2. Chair thanked everyone for their contributions and the update ToR will be issued by the 06 May 2015.</p> <p>6.3. JM requested if any sub-group meetings are held they keep the Chair informed.</p>
	ACTIONS
A1	RMn to develop a flow chart showing linkage between groups.
A2	NB to update Terms of Reference by 06 May 2015.
A3	Members to submit Chair nominations by 22 May 2015.
A4	RMn to arrange sub-group meeting with a proposed date of 22 July 2015.