

MEMAG Meeting Minutes

Date: 31/05/2012

Location: SEPA, Inverdee House, Baxter Street, Torry, Aberdeen AB11 9QA

Attendees:

Bill Ritchie (Chairman) (**BR**)
Alan Garvie SCF (**AG**)
Keith Newton AC (**KN**)
David Ogilvie SEPA (**DO**)
Mark James (Secretariat) (**MJ**)
Sandra Gray (Secretariat) (**SG**)

Apologies:

Andy Rosie (SEPA)
Sarah Malone (TIGLS)
David Bale SNH

Invited:

David Watson (BCC)
Wishart McBride

Welcome and Introductions

1. The **Chairman** welcomed those present to the meeting and thanked SEPA for hosting the meeting. Sandra Gray (MEMAG Secretariat) was introduced to the attendees and the **Chairman** advised that FRM Ltd would continue to operate the secretariat and that SG would be taking a more active administrative role.
2. **DO** explained domestic arrangements and fire procedures.
3. Apologies as noted.
4. The **Chairman** noted that there was no representation from the Community Council at the meeting. **KN** informed the group that Wishart McBride had resigned from the Community Council. **KN** agreed to write to David Watson to encourage future attendance.

Action: **KN** to write to David Watson to encourage future attendance.

Minutes of last meeting and matters arising

5. The Minutes of the last meeting were approved by email and lodged on the MEMAG website.

Actions arising:

Action points from MEMAG meeting 11th April 2012:

6. **24 – Monitoring Costs** - The **Chairman** highlighted the importance of this item. Monitoring costs to date had been minimal, mainly because of the frequent visits to the site by the Ecological Clerk of Works (ECoW) and their subsequent substantive reports. It is unclear exactly when the ECoW contract with TIGLS will end and the **Chairman** agreed to make enquiries with Sarah Malone.
The group agreed that monitoring costs going forward would necessarily increase and **MJ** queried whether TIGLS fully understood the monitoring element and associated cost implications. The **Chairman** referred to a previous meeting with George Sorial regarding future monitoring requirements and reminded the Group that in September 2010 a draft position paper; "Monitoring Purposes and Arrangements", had been circulated to all involved in MEMAG including TIGLS. Hardcopies of this paper were handed to the meeting attendees.

Although MEMAG had accepted the draft, it was a general outline and further refinement may be required as monitoring requirements are defined.

It was made clear that the cost of monitoring would increase once the course construction had been completed and there was a need to reemphasise to TIGLS the importance of establishing a well-founded environmental monitoring programme post course construction.

The group noted that the absence of TIGLS representation at recent MEMAG meetings was unfortunate but, on a positive note, contact had been made with John Bambury (JB) who is the new LINKS Superintendent. Contact with JB will provide an important link with TIGLS in the future with regards monitoring at Menie.

It was agreed that the **Chairman** would send the minutes of the meeting to TIGLS with a covering letter highlighting salient points and noting the attendance issue.

Action: Chairman to send the minutes of the meeting to TIGLS with a covering letter highlighting salient points and noting the need for TIGLS representation at MEMAG meetings.

7. **25 - Hydrological Data and Monitoring** – The **Chairman** noted that gaps remain in the Hydrological information and database. The **Chairman** had hoped to provide a list and map for this meeting from Fairhurst and partners, but this had not yet been provided. The **Chairman** will reiterate a request this information.

AG asked who would monitor hydrology going forward? The **Chairman** replied that this had originally been envisaged as SEPA but **DO** explained that SEPA's internal resources in this area were already heavily committed. The **Chairman** stressed the importance of resolving this issue and **DO** agreed to discuss options with Andy Rosie.

DO confirmed that from a SEPA perspective, there had been no compliance issues with the development to date and therefore SEPA had not been required to react from a regulatory perspective.

The Chairman acknowledged that hydrology was not a statutory issue, but stressed that it was fundamental to all other areas of dune management. As such, establishing the extent and integrity of the hydrology baseline data was a priority.

Action: Chairman to reiterate request for hydrological data from Fairhurst's.

Action: David Ogilvie to discuss SEPA resource allocation to assessing hydrological data.

8. **39 – Otter Reports – status** – The **Chairman** explained that Esie O'Mahonay was to provide the otter report and noted that this had been sent to ECoW on 19/07/2011, but had not been copied to MEMAG which was the original agreement. The **Chairman** agreed to follow up.
9. **Action: Chairman** to reiterate request for otter report to TIGLS/ECoW
10. **DO** noted a press inquiry directed to SEPA/SNH and Marine Scotland asking if there had been any environmental issues associated with the development of the golf course. The **Chairman** confirmed that the question had not been raised with MEMAG.
11. **KN** highlighted that there had been some interest within the Council regarding the need for monitoring activity, but was of the view that the ECoW reports were sufficient to cover the period to date. **AG** thought that more questions were likely to be raised over the forthcoming weeks over the access road. **DO** agreed.
12. There was general acknowledgement that interest in the golf course development was likely to increase in the period leading up to its opening. **KN** noted that there had been very few inquiries thus far and that this might generally be taken as an indication that the development had not infringed environmental or planning regulations.

13.

With respect to the potential for a general increase in requests for information, **MJ** felt that the website was fit for purpose but noted that if there were a large number of enquiries then there would be a cost associated and that TIGLS must be reminded of this.

The Chairman added that it would be pro-active to provide TIGLS with details of the MEMAG remit as a reminder/update and reminded the group that in June 2011 MEMAG provided Sarah Malone with a paper "The Work of MEMAG". The **Chairman** agreed to re-word/update the paper and **DO** agreed that this would be useful as a periodic update.

Action: Chairman to update the "work of MEMAG" document and send to TIGLS

Notes on activities since last meeting

14. The **Chairman** had visited the site several times since the last meeting in April 2011 which included assessing the implications for the Coastal Dune Ridge at the natural erosive area east of the hole 4 fairway.

The **Chairman** used to attend monthly site meetings between ECoW and the course builders and found these very useful and informative, but expressed disappointment that these meetings had ceased.

He continued that MEMAGs relationship with ECoW was excellent, but had been informed that their contract with TIGLS did not extend to covering the cost of their attendance of MEMAG meetings.

KN questioned whether the ECoW reports appeared on the MEMAG website? The **Chairman** advised that the ECoW reports were contracted by and prepared for TIGLS and copied to MEMAG for information. MEMAG was at liberty to query these reports and to seek clarification but they were not put onto the MEMAG website.

Review of reports from ECoW

15. The ECoW had produced several reports since the last MEMAG meeting; 12-19. The reports had been circulated to MEMAG members by the **Secretariat** for information and comment. No comments have been received.

16. The **Chairman** referred to a question raised by David Bale and Alan Garvie about ecological statistics that had been referred to in the ECoW reports. He explained that he had discussed this with Sarah Malone and that she had indicated that she had recorded this information as a personal file note for her own purposes.

Future liaison with ECoW

17. The **Chairman** will enquire as to the end date of the ECoW contract with TIGLS. He reiterated that MEMAG had an important role to play in maintaining continuity in the provision of *ad hoc* advice between the end of the ECoWs contract and the implementation of robust monitoring procedures. He stressed the likely importance of the relationship with John Bambury during this transition period.

Action: Chairman to clarify with TIGLS the end date of the ECoW's contract and any relevant transitional arrangements.

Opening and operation of Golf Course: Implications for MEMAG

18. The **Chairman** stressed that over the next 12 – 18 months the monitoring process should be shown to be achieving its objectives.
The baseline database provided by Ironside Farrar, which is now held on a spreadsheet by MEMAG, should be added to and knowledge gaps identified. **DO** asked whether the database was fit for purpose? **AG** asked whether it had been referred to in the Public Inquiry? The **Chairman** explained that the Public Inquiry documents ran to 24 volumes, but that he had identified a section, T15, that listed the complete environmental information provided by Ironside Farrar at the time of the public inquiry. This information is very comprehensive but there is no detailed knowledge of what has gone on since the collation of the data for the Public Inquiry.

The **Chairman** proposed that he check the database held by MEMAG with the details in T15 of the public enquiry, and then add relevant information to the database to bring it up to date, identifying knowledge gaps and provide a summary to MEMAG.

Note: The committee were reminded that our database consists of title and date only. The actual reports are not held by MEMAG.

The Group agreed.

Action: Chairman to compare base line database spreadsheet with document section T15 and provide summary report of data gaps. This might have some small secretarial cost implication.

Operation of MEMAG Committees

19. The **Chairman** explained that when MEMAG was proposed, it was based on the St. Fergus and SOTEAG models which included the formation of a second independent committee to oversee the monitoring process.

The **Chairman** suggested that for MEMAG the formation of a monitoring committee was not necessary at this stage. He highlighted the expertise around the table and amongst the MEMAG members and suggested that MEMAG could 'buy in' advice *ad personam* if and when required.

A second monitoring committee could be formed if it proved desirable in the future. **KN** noted that the Terms of Reference did call for two committees, but acknowledged the body of expertise on hand and could not see the benefit of a second committee at this stage.

AG queried whether there were any other golf courses that could be compared with Menie? The **Chairman** said that Machrihanish had been used as a comparison in the public enquiry. **AG** and **KN** agreed that it was helpful to draw on experience to continue to establish best practice.

There was general agreement that MEMAG should, at this stage, not establish a second committee, but move forward on the basis that additional expertise could be requested as required.

AOB

20. The **Chairman** noted that MEMAG financial procedures were working well. **SG** confirmed that there were no issues to report.
21. **AG** raised the following question:

"Is it possible to open the site as a golf course in the absence of at least some of the other ingredients for which planning permission has been granted, such as a vehicular access for

members of the public to enter and leave the site and a car park. This could be a legal issue and/or one for MEMAG to consider its impact on the monitoring framework e.g. how does the absence of a suitably surfaced car park and access road, connected to the public road impact on compaction, run off and landscape?”

KN commented that Reserved Matters Consent and Full Planning Consent were in place for the operation of the championship golf course. He added that full planning consent was in place for the roadway and that this was now at an advanced stage. **AG** agreed that the works on the road were well advanced and he could now see that the roadway should be complete by the opening of the golf course.

The **Chairman** noted that the access road might become a point of interest if the run-off cause any problems. **DO** advised that SEPA monitoring would continue, but the situation is different to that anticipated as the hotel complex and housing plans are currently 'on hold'.

22. The **Chairman** tabled some early thoughts on what monitoring projects could be taken forward as follows:

- Translocation of wetlands habitat. Reference to be made to the ECoW reports.
- Coastal Dune Ridge (CDR). Focusing on sensitive areas.
- Hydrological data gaps and definition of monitoring requirements.

DO suggested that MEMAG needed to now focus on developing and taking the monitoring process forward.

The **Chairman** stated that further monitoring ideas from members would be welcomed.

MJ – suggested the Group needed to define its monitoring plans together with indicative cost before the next MEMAG meeting.

AG offered a suggestion for a monitoring topic:

- Aberdeenshire Coastal Path – its relationship to the development and subsequent impact on the dunes.

Date of Next Meeting

23. **Action** – Secretariat and Chairman to canvass for dates, probably in late July – mid August for a meeting / site visit.

Action – Secretariat to discuss with the Chairman possible dates for a specific monitoring ideas meeting.

END