

## MORAY LOCAL OUTDOOR ACCESS FORUM

### 43rd MEETING

Tuesday September 13<sup>th</sup> 2016 at 4:00pm

The Gallery – Elgin Library

### MINUTES

**Members Present:** Michelle Gillibrand (Chair), Clive (Robbie) Roberts (Vice Chair), Jean Oliver, Ian Cowe, Wilson Metcalfe, Fiona Murdoch, Ed Dunbar, Alistair Sutherland, Terry Ballard, Janet Trythall, Thomas (Andy) Anderson

**Present:** Ian Douglas; Moray Council Outdoor Access Manager

**Non Attendees:** Fay Gonzalez, Ian Green

**Guests:** Pat Douglass; Moray Sustainable Transport Officer

| Item |   | Action  |
|------|---|---|
| 1    | <b>Welcome</b> All present were welcomed by Michelle Gillibrand, especially guest speaker Pat Douglass, Sustainable Travel Officer, The Moray Council   |   |
| 2    | <b>Apologies</b> Shirley Reid, Mary & Leon Stelmach, Rebecca Russell, Gilbert Bain, Pat Carroll, Angus Dixon, Susan Leslie (NHS Grampian),  |   |
| 3    | <b>Pat Douglass – Sustainable Transport Officer, TMC</b>  |   |
|      | <p>Pat talked on a number of items as follows:</p> <p><b>Moray Active Travel Strategy.</b> The Council are just starting work on the Strategy preparation. The Strategy will include a map showing an active travel network for Moray and incorporate information on how the network should be developed and managed. Pat emphasised that the Strategy should lead to securing considerable external funding. Important for the Forum to be involved as there is synergy with the Moray Core Paths Plan. Pat left maps for the Forum to annotate. She is looking for feedback on issues with existing active travel routes and what additional routes people would like to see developed.</p> <p>Sub group (JT, WM, CR, JO, TB, MG) set up to carry out the task and report back to the next Forum meeting. MG to arrange Sub Group meeting with Pat.</p> <p><b>River Lossie Cycle Route - Interpretation.</b> Standard directional signs will shortly be installed on the route. Pat is looking for input from the Forum on the design and format of interpretation to be located along the route. Meeting feedback included; vertical units better as they stay cleaner, consider flip up info posts, units should have a natural looking finish, consider interactive interpretation, consider QR codes, info should include a location map at each point, consider route mile markers.</p> <p>Members to send any additional comments to ID who will forward to Pat. Pat willing to work with the Forum at the detailed design stage.</p> <p><b>Elgin Transport Strategy.</b> Currently going through initial phase of consultation to determine issues. Forum will have another chance to respond to the Draft Strategy which is due to go out for consultation in Oct for a 12 week period. Format of Forum input to this consultation to be discussed at the next Forum meeting in November.</p> | <p style="text-align: center;"><b>MG/Active<br/>Travel Sub<br/>Group</b></p> <p style="text-align: center;"><b>ID/All</b></p> <p style="text-align: center;"><b>All</b></p> |
| 4    | <b>Accuracy of previous minutes</b>   |   |
|      | ITEM 14. Remove word ' <i>complainant</i> ' and add with reference to Dave Craig ' <i>....in attendance as a representative of the Scottish Canoe Association</i> '. Minutes proposed by WM and seconded by   |   |

|          | TB. ID to amend and place ratified version on website.   | ID   |
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| <b>5</b> | <b>Matter Arising</b>  |  |
|          | <p>Item 3– Elgin South Masterplan. Forum response issued by MG to the Planning consultation (meeting paper)</p> <p>Item 5 – NHS Forum rep is Susan Leslie although cannot attend most meetings.</p> <p>Item 5 – MG to update on Faye Gonzalez<br/><i>Carried forward.</i></p> <p>Item 5 – GB to supply Murray White contact details as possible NFU Forum member<br/><i>Carried Forward. ID to thereafter approach MW.</i></p> <p>Item 5 - MG to invite Council Legal Services to attend future Forum meeting<br/><i>Invitation sent to attend Nov 29<sup>th</sup> Forum meeting and response awaited.</i></p> <p>Item 5 – MG to arrange Forum Chairs joint meeting to discuss joint concerns and possible future developments i.e. Deveron Way.<br/><i>Meeting to be arranged for Oct.</i></p> <p>Item 5 – MG still to send letters to Diageo and Moray Roads Section to seek tree management works and path repairs to be carried out. New manager at Diageo showing interest in community projects. To be supported and encouraged as the tone of letter.<br/><i>Carried forward</i></p> <p>Item 5 – Fishwives path. Locked gate still there but gap now in fence.<br/><i>ID to pursue with farmer to open locked gate as gap in fence has now been repaired.</i></p> <p>Item 5 – Info on dog user management to be sent to Glenrinnis Estate.<br/><i>MG to send ‘Jess the Dog’ leaflets to FM for issuing to Estate.</i></p> <p>Item 5 – MG to send letter to Council re budget cutbacks and need to reinstate.<br/><i>MG to issue draft to members and subject to feedback will issue.</i></p> <p>Item 5 - D Anderson - Core Path signs.<br/><i>ED to contact son Andrew Anderson for meeting on general access improvements.</i></p> <p>Item 5 – MG to approach Springfield re the need to improve</p> | <p><b>MG</b></p> <p><b>GB/ID</b></p> <p><b>MG</b></p> <p><b>MG</b></p> <p><b>MG</b></p> <p><b>MG</b></p> <p><b>ID</b></p> <p><b>MG</b></p> <p><b>MG</b></p> <p><b>MG, ED</b></p> |

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|           | Dava Way as an integral part of the housing development. at Mannachie Road to the south of Forres<br><i>MG followed up verbally with Robbie Grant of Springfield.</i>   |  |
| <b>6</b>  | <b>Review of Constitution /Policy Documents</b>   |  |
|           | Finalised versions of 2 documents already issued to members once comments were received.<br><i>Procedure for the Resolution of Outdoor Access Disputes</i> – Proposed unchanged as ratified version; proposed JO, seconded WM.<br><i>Procedures for Conduct of Meetings and Appointment of New Members</i> – rectify spelling of publically in section 5. Proposed as ratified version JO, seconded JT.<br>ID to place ratified documents on website.   | <b>ID</b>                                  |
| <b>7</b>  | <b>Communications Plan</b>  |  |
|           | Finalised version already issued to members once comments were received. A number of changes were raised. MG to make these then send out to members for final approval; proposed CR, seconded TB. ID to thereafter place on website.<br>Action – Forum info leaflet to be issued by MG to members inviting comments for review.   | <b>ID</b><br><b>MG</b>                     |
| <b>8</b>  | <b>Business Plan</b>  |  |
|           | <b>Item 1 – Core Paths Plan Review.</b> Maps of Candidate Core Paths still being compiled by ID but candidate Core Path proposals welcome from members. Forum workshop looking at maps planned for 1 <sup>st</sup> meeting in 2017. MG and ID to produce simple version of leaflet on computer and Council printer as cost cutting measure.<br><b>Item 2 - Rothes Forum feedback.</b> Rothes Council has now completed consultation survey issued round the local community. 35 responses received determining the level of interest in upgrading the Rothes to Craigellachie railway path to a cycle route. MG to analyse findings and meet with local group with feedback to the next Forum meeting.<br><b>Item 7 – Open Space Strategy.</b> Planners working on producing 1 <sup>st</sup> draft for consultation. ID to ensure Forum are consulted on Draft. | <b>ID/MG</b><br><br><b>MG</b><br><b>ID</b> |
| <b>9</b>  | <b>Dorenell Access Management Strategy</b>  |  |
|           | Members were referred to Access Manager's response (30 <sup>th</sup> June) and Forum letter (7 <sup>th</sup> Aug) on 1 <sup>st</sup> draft produced by consultants, Nevis Environmental. In summary the document still needs comprehensive improvement. No reply yet received from Consultants. MG to contact to determine if Forum response was received by them and to invite a reply before Forum response is submitted to the Scottish Government.  | <b>MG</b>                                  |
| <b>10</b> | <b>Access Issues</b>  |  |
|           | <b>Fence at Ballindalloch March Pool.</b> Members were referred to notes of meeting at Ballindalloch Estate Office and subsequent email response 8 <sup>th</sup> Sept from the Estate making it clear the obstruction will not be removed or modified. Also to email 31 <sup>st</sup> Aug from Planning Dept. stating they will not be pursuing planning enforcement. Referred to letter 25 <sup>th</sup> Aug from Scottish Canoe Association concerned over decision delays. To date 22  |  |

written objections have been received by The Moray Council, The Forum discussed the matter and agreed the following recommendation to the Moray Council:

***'The MLOAF accept that there is localised access restriction in the area bounded by the fence, but conclude that as this area is small, overall access to the River Spey has not been restricted.***

***In reaching this decision MLOAF have taken into account the reasoning for the erection of the fence at the March Pool, primarily that:***

- ***The number of public using the March Pool was in excess of its capacity and was causing environmental damage.***
- ***There is need to protect the new tree planting from Deer browsing.***

***The MLOAF also considered the alternative access to the River, access is available:***

- ***Upstream from the March Pool adjacent to the erected fence.***
- ***At Aeyon Pool which is 750 metres downstream of the March Pool where Ballindalloch Estate and the canoeing community have worked in partnership to improve access at this point to provide toilet facilities and off-road car parking.***
- ***On the opposite side of the river.***

***The MLOAF does not support the sighting of the fence at the March Pool. It is however felt that the Estate has made adequate improvements to access at the Aeyon Pool thus allowing the MLOAF to recommend that The Moray Council need not carry out enforcement action against Ballindalloch Estate on this matter'.***

MG

MG to formally contact the Council and update Ballindalloch Estate, David Craig, Scottish Canoe Association and the objectors who have contacted MLOAF directly on this matter.

**Fence obstruction to Core Path LM01, Roseisle.** – Members were referred to IMD meeting note 19<sup>th</sup> July with Mrs Rose and her subsequent response 25<sup>th</sup> July. Many written objections received re obstruction. IMD explored alternative Core Path route shown on map with Forestry Commission but this was not acceptable to them. Referred to Council letter sent to Mr and Mrs Rose 23<sup>rd</sup> Aug advising possible enforcement unless obstruction removed and path reinstated by end Sept.

IMD outlined representations had been received from the Roses' lawyer indicated they had not been given sufficient remit to state their case. In the interests of fairness and transparency the

MG

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|           | <p>Forum agreed to defer decision and invite the Roses' to the Nov Forum meeting to outline their position after which the Forum to take a view. MG to invite.</p> <p><b>Locked Gate across Core Path SRA07.</b> Note objection from David Craig, Scottish Canoe Association, to locked gate obstruction across Core Path. Members were referred to email 22<sup>nd</sup> June from agent Peter Graham confirming rough path and gap in wall exists at side of newly erected gate across the vehicle track (referred to photos).</p> <p>Members referred to ID email (12 Aug) suggesting path is sub-standard and states desired upgrade spec. Agent response does not agree to suggested spec indicating more minimal improvements may be carried out sometime. Council seeking Forum input to help resolve this as the case is marginal for enforcement.</p> <p>MG to contact agent to determine specifically what improvements will be made to the path and timescale.</p> | <b>MG</b>  |
| <b>11</b> | <b>AOCB</b>   |            |
|           | <p>Feedback from the Joint Forum Event at Knock Farm (27<sup>th</sup> June) and The Moray Woodland Strategy Stakeholders Event at Horizon (21<sup>st</sup> June) – Deferred to the next meeting due to time restriction.</p>  | <b>ALL</b> |
|           | <b>Date of Next Meeting</b>   |            |
|           | <p>Tues 29<sup>th</sup> November 4.00 p.m. Elgin Town Hall, Lounge Room – Provisional dates for 4 meetings in 2007 to be determined.</p>  | <b>All</b> |