

MORAY LOCAL OUTDOOR ACCESS FORUM

44th MEETING

Tuesday 29th November 2016 at 4:00p.m.

Lounge Elgin Town Hall

MINUTES

Members Present: Michelle Gillibrand (Chair), Clive Roberts (Vice Chair), Jean Oliver, Ian Cowe, Mary Stelmach, Fiona Murdoch, Rebecca Russell, Ed Dunbar, Terry Ballard, Janet Trythall, Gilbert Bain

Present: Ian Douglas, Moray Council Outdoor Access Manager. Leon Stelmach, minute taker

Non Attendees:, Faye Gonzalez(resigned), Ian Green, Angus Dixon

Guests: Mr Will Cowie, solicitor representing Mr & Mrs Rose

Item		Action
1	All present were welcomed by Michelle Gillibrand, She advised the meeting that Item 3 would be taken first to which the members agreed.	
2	Apologies; S Reid, T Anderson, Pat Carroll, Wilson Metcalfe, Alistair Sutherland, S Leslie	
3	Blocked Core Path LM01- Roseisle	
	<p>Mr Cowie set out the position of Mr & Mrs Rose on whose land the Core Path is located beside their house and stables and he detailed some of the ongoing problems of privacy, disturbance, compromise to safety and drainage issues they had encountered since the path was created at the turn of the century. They have now fenced off and closed the adjacent section of the Core path, installing an electric fence and redirecting users to a new path they subsequently created nearby through the forest without the permission of the Forestry Commission. Mr Cowie indicated his clients still want to reach a negotiated solution preferably through formal diversion of the Core Path. They have indicated they may be willing to purchase or lease a section of the forest to overcome the Forestry Commission (FC) objections to a formal diversion of the path onto their land.</p> <p>After Mr Cowie's departure the situation was discussed at length by the members. ID was charged with contacting FC again to explore further the option of Core path diversion onto FC land inclusive of the purchase/lease proposal. It was noted the house was built relatively recently when the path already existed and the actions of Mr and Mrs Rose are principally for the purpose of obstructing public access along the path.</p> <p><i>If this final attempt at formal path diversion is rejected by the FC then members agreed that the Council should pursue enforcement under s19(c) of the Act to remove the fence obstruction and repair surface damage to the Core Path.</i></p>	ID
4	Accuracy of previous minutes	
	Minutes Approved Clive Roberts, Seconded Janet Trythall	
5	Matter Arising	
	See accompanying Matters Arising Schedule	
6	Communications Plan	
	Updated version now available on website. Update on actions deferred to next meeting.	
7	Business Plan	
	<p>Item 1: Core Paths Plan Review - Separate Forum Workshop to be arranged at first meeting in 2017 for which ID to prepare maps.</p> <p>Item 1: Production of Core Paths in Moray leaflet. MG to progress production of draft.</p> <p>Item 2: Hopeman to Lossiemouth Cycle Path – see Forum minutes item 10.</p> <p>Item 4: Reinforce Links with Community/User Groups – MG attended Joint Community Councils meeting on 10th Nov. Note consultation started on new Moray Dev Plan.</p> <p>Item 7: Open Space Strategy. Forum to provide input.ID to facilitate</p>	ID MG ID

8	Dorenell Access Management Strategy	
	A meeting with EDF took place on 7 th Nov attended by MG, JO and ID to discuss finalising the Dorenell Access Management Strategy. Subsequently a revised document had been issued by EDF which included changes requested by ID and the sub group. At the Forum the document was deemed satisfactory subject to inclusion of a statement on the status landowner agreements and what provision will be made for the outdoor access network once the wind farm ceases to operate. IC will contact MG as soon as possible with his comments. MG to request finalised document to be agreed with all sub group members prior to signing off. JO was thanked for her continuing input.	MG
9	Rothes to Craigellachie Cycle Route	
	MG attended a meeting of Rothes Community Council on 7 th Nov which was encouraged by the positive results of the community survey. The Roads Dept. sketch showing a possible A941 crossing was discussed. Some members questioned whether the road crossing option involving a steep hill was the best line for a cycle route. The next stage would be a feasibility study that would look at route options. Project to be taken forward by Rothes Council with the Forum and Moray Council in a supporting role. Input to be sought from the Craigellachie community.	MG to facilitate
10	Hopeman to Lossiemouth Cycle Path	
	Slow progress on this project but a group has been set up to take the proposal forward which JT is a member of. ID and MG have also attended meetings. Feasibility study already exists recommending a route beside the road as the preferred option. All agreed this and Green Roadie option should also be brought up at a meeting with landowner Andrew Anderson to gauge his initial response on behalf of the local community group. ID, ED and MG to take forward.	ID, ED, MG
11	A96 Duelling Consultation, Fochabers	
	MG, MS & LS attended. Very early stage consultation. Note that ID has a seat on the Non Motorised Users Group set up as part of the project. Project managers are keen to involve the Forum in all stages of public consultation.	ID
12	Annual Membership Review	
	Of the six members due to retire by 3 year rotation have indicated they wish to stand down ie FG (already resigned), RR, MS. The remaining three ie. JT, WM, GB to be sent updated application forms/info sheets and invited to re-apply. MS (& LS) indicated they will try to encourage the Equestrian Users to submit their application for membership. ID to seek applications through mailshots and website placings. MG to arrange press release early January 2007. Applications deadline 24 th Feb; thereafter sub group (CR, FM, MG) to convene and make recommendations on appointments to the next Forum meeting	ID ID MG Sub group
13	Access Issues	
	a) Fence at Ballindalloch March Pool –Decision at Council Economic development and Infrastructure Committee on 15 th Nov not to enforce the fence in line with the advice of the Access Forum. The committee agreed not to take enforcement action under section 14 (2) of the Land Reform (Scotland) Act 2003 on the basis that, given the facts of the case as detailed in section 4 of the committee report, it was not reasonable or proportionate, nor in the public interest to do so. As far as Council and Forum are concerned matter has now been concluded.	

	<p>b) Locked Gate Core Path SRA07- Ed Dunbar confirmed that the existing path at the side of the fence had been improved and a new path line was being created on the opposite side of the gate. ID to check on site and thereafter MG to advise Dave Craig, the original objector that matter has been resolved to satisfaction.</p> <p>c) Fence obstruction to Core path LM01 – see item 3 above</p>	ID/MG
15	AOCB	
	None	
16	Date of Next Meetings- all 4.00 to 6.00pm	
	<p>March 7th 2017 Elgin Town Hall Lounge</p> <p>June 13th 2017 Ash Room, Elgin Community Centre</p> <p>September 5th 2017 Elgin Town Hall Lounge</p> <p>November 28th 2017 Elgin Town Hall Lounge</p>	