

MORAY LOCAL OUTDOOR ACCESS FORUM
47th MEETING
Tuesday 5th September 2017 at 4:00p.m.
Lounge Room, Elgin Library
MINUTES

Members Present: Michelle Gillibrand(Chair), Jean Oliver, Ian Cowe, Simon Jacyna, Clive Roberts, Angus Dixon, Terry Ballard, Ed Dunbar, Janet Tryhall.

Present: Ian Douglas (Moray Council Outdoor Access Manager)

Non attendees: Iain Green, Thomas (Andy) Anderson, Gilbert Bain, Pat Carroll, Charles Petrie

Vacancy: NHS Grampian, Moray Councillor

Item		Action
1	Welcome: All present were welcomed by Michelle Gillibrand (Convener).	
2	Apologies: Shirley Reid, Alastair Sutherland, Wilson Metcalfe, William Hawes.	
3	Accuracy of previous minutes - Proposer and seconder Proposed Clive Roberts, seconded Ian Cowe	
4	Members Conflict of Interest MG indicated this was already covered in para 11.1 and 11.2 of the 'Procedures for Conduct of Meetings and Appointments of New Members' but explained it is good practice to give members the opportunity to declare possible conflicts of interest at the beginning of Forum meeting. All agreed this was acceptable. MG thanked Jean for bringing this issue to the attention of the Forum. MG went onto ask if any members had any conflict of interest with any of the items to be discussed at this meeting. No conflicts of interest were noted.	
5	Matters Arising Members referred to accompanying matters arising schedule.	
6	Membership MG still to pursue with NHS Grampian re replacement member on the Forum. ID outlined that Council currently reviewing Councillor attendance of outside bodies and report to Committee being submitted on 27 th Sept. All agreed that a Councillor representation on the Forum is crucial. MG to Contact Rhona Gunn at the Council before 27 th Sept meeting stressing the importance that a Councillor be allocated to the Forum.	MG MG
7	Complaints Procedure MG issued a paper for discussion. This outlined the current sections within the MLOAF 'Procedures for Conduct of Meetings and Appointments of New Members' that deal with Forum Members behaviour at meetings. Due to recent disagreements and request from JO this paper also suggested a procedure to address how to deal with complaints about the conduct of another member. There was a full and open discussion and MG agreed to adjust the draft procedure and make the necessary amendments in all the appropriate MLOAF documents taking into account of the views expressed at the meeting. The Complaints Procedure and relevant papers to be submitted to the next Forum meeting for agreement.	MG
8	Core Paths Plan Review 7 members attended workshop on 16 th Aug which looked at proposed maps to be taken forward through the review. Generally, those who attended were happy with the new/amended routes proposed in the maps subject to some small amendments to be included by ID. ID outlined that biggest challenge of the review is to identify landowners to be contacted. Forum sub group to be set up to assist involving AD, CR and ED. ID to organise sub group meeting in Nov. ID confirmed formal review scheduled for Jan-March 2018.	ID ID/Sub Group
9	Communications Plan ID to update meeting papers on website.	ID

	Sub Group (CR, JO and MG) to finalise draft of new members induction pack for presentation to next Forum meeting.	MG/Sub Group
10	Business Plan	
	Item 1 – Core Paths leaflet. MG has asked a graphic designer friend to help produce the final draft. Final draft to be produced for next Forum meeting. All other relevant business was specific items on the meeting agenda.	MG
11	A96 Duelling Consultation Response	
	MG to issue letter to Mott MacDonald Sweco stating that the Forum wish to be consulted throughout the process and wish active travel and non-motorised user to be given full consideration. All members to submit to MG by 15 th Sept any paths/recreation areas for particular consideration for inclusion in the letter.	MG All
12	Dorenell Access Management Strategy	
	MG to pursue with Darren Cummings of EDF when steering group will be set up. TB agreed to visit the Dorenell site and assess whether the site works so far have been conducted in accordance with the AMS. If breeches have occurred, this to be pursued with the Council Planning Enforcement.	TB
13	Roths to Craigellachie Cycle Route	
	MG to meet Keith Kingham of the Roths Community Council on 8 th Sept to see how he is getting on with seeking landowners in principle agreement and making contact with other relevant community groups. MG will report back to next Forum meeting.	MG
14	Hopeman to Lossiemouth Cycle Route	
	Next step of Lossiemouth Community Development Trust is to secure funding for a feasibility and design report. JT to report on progress at next Forum meeting.	JT
14	Inverharroch Trail	
	Members were referred to the letter of support request from the Cabrach Trust re. the Inverharroch Trail proposal. This will assist their efforts to secure funding. MG to explore the Cabrach Trust's intention to link with other paths in the area and thereafter issue Forum letter of support	MG
15	Access Issues	
	<p>a) Roseisle blocked Core Path LM01 – Report submitted to Council E D and I committee on 20th June on taking action under s19(b) of the access legislation to remove the fence obstruction following inability to achieve a negotiated solution.</p> <p>The Council turned up on site on 3rd August 2017 with the intention of physically unblocking the path using s19(b) powers but this work had already been carried out by Mr Rose. Under the terms of the Land Reform (Scotland) Act 2013 the path shown on the Moray Core Paths Plan has now been unblocked and the damaged culvert reinstated</p> <p>The Moray Council's intention was always to unblock the line of the promoted path, but part of this is not currently a Core Path (solid yellow line on map issued to members) due to a mapping error that appeared in the original Core Paths Plan; this shows the hatched red line as the Core Path instead of the intended yellow route. Mr Rose has certainly unblocked the Core Path route as it appeared in the Core Paths Plan, but as part of this Core Path designation does not actually exist on the ground, the route he has cleared does not link to a useable through route.</p>	

	<p>Legally the Council could not on the day cut his fence to unblock the yellow section of promoted path as this was not technically a Core path due to the mapping error and s19 powers can only be used on Core Paths.</p> <p>The Forum discussed the matter and consider the best way forward is to seek resolution through the forthcoming Core Paths Plan Review. With this in mind the Forum wish the Council to rectify the mapping error through the review process and re- establish the Core path along the intended line (yellow route on map) which would once formalised, allow the fence to be cut under s19(b) as originally intended. The review process should however take account of any progress in securing the hatched blue or purple routes as part of the revised Core path line, dependant on further negotiations with the local community and the FES.</p> <p>b) Locked gate on Fishwives path – Farmer originally locked the gate due to problems of motor bike use. MG and SJ to meet with the farmer, Mr Alexander, with a view to seeking an arrangement that would allow him to unlock the gate perhaps initially for a trial period.</p> <p>c) Dog Familiarisation with sheep: possible training event – All agreed this idea raised by IC was a good one. MG to contact NFUS to discuss them taking this forward supported by the Forum.</p> <p>d) FES removal of waymarking at the Balloch – Members referred to E mail of 23rd August from Mary Stelmach concerned about FES proposal to remove horse user waymarking. MG to issue letter of concern to FES on the basis that this waymarking is important to encourage horse and other access users and to reduce user conflicts.</p> <p>e) SRDP Improving Public Access funding – Members were asked to spread the word and encourage people to make applications particularly as there has so far been a poor uptake in Moray. This European funding will soon be coming to an end. Phone Shirley Reid at SNH for more advice or visit website at https://www.ruralpayments.org/publicsite/futures/topics/all-schemes/agri-environment-climate-scheme/management-options-and-capital-items/improving-public-access/</p>	<p>ID</p> <p>MG/SJ</p> <p>MG</p> <p>MG</p> <p>All</p>
16	AOCB	
	1. Bam Nuttal Elgin community benefit – MG has made contact requesting the excess materials from the Elgin rail upgrade be used for paths in the Wards and at The Oakwood. If favourable response received, then Council to negotiate details on behalf of the Forum.	MG/ID
16	Date of Next Meetings	
	November 28 th 2017. 4.00 to 6.00pm – Elgin Town Hall Lounge	