

**MORAY LOCAL OUTDOOR ACCESS FORUM
EIGHTH MEETING**

MINUTES

**Tuesday 3rd July 2007 at Rothes Church Hall, High Street, Rothes
6.00pm to 8.30pm**

PRESENT

Ian Douglas (Moray Council – Moray Access Manager)
Cath Clark – Paths for All Partnership

Members Present:

Peter Graham – SRPBA (Landowner) – Convener
Simon Jacyna – MEAG (Outdoor Access User) – Vice Convener
Fiona Murdoch – Moray Councillor (Public Agencies)
Ray Brumby – Speyside Paths Network Group (Community Groups)
Jenny Gate – Glenlivet and Inveravon Community Association (Community Groups)
Iain Greene – NFUS (Landowner)
Rita Marks – Moray Tourism Forum (Outdoor Access User)
Alasdair Laing – Logie Estate (Landowner)
Watson Bell – (Outdoor Access User)
John Fleming – MALT (Community Groups)
Toby Metcalfe – Smiths Gore (Landowner)
Jean Oliver – Speyside Paths Network Group (Community Groups)
Franziska Smith – HIE Moray (Public Agencies)

Apologies

John Maclean – Westfield Farms (Landowner), Janet Trythall (Outdoor Access User), Kelley Miller – SNH (Public Agencies), Philip Whitfield – Forestry Commission Scotland (Public Agencies), Duncan McConnell – Dyke and Landward Community Council (Community Groups), NHS Grampian representative to be allocated (Public Agencies).

Non Attendees

Iain Stephen – Moray Access Panel

Item		Action
1.0	Welcome The meeting was chaired by Convener, Peter Graham with Simon Jacyna chairing discussion on item – 6.1	
2.0	Accuracy of Previous Minutes	
2.1	The previous meeting minutes were unanimously agreed as being true and accurate.	
3.0	Matters Arising	
3.1	<u>Item 3.1</u> Councillor Fiona Murdoch was welcomed to the meeting as the replacement for Councillor Linda Gorn.	

<p>3.2</p> <p>3.3</p> <p>3.4</p>	<p><u>Item 8.1</u> Dufftown – Tomnamuidh Wood. I Douglas confirmed that the Council’s Outdoor Access Section has submitted an objection to the planning application for houses on part of the wood. The objection was based on loss of amenity land and severance of a number of popular paths.</p> <p><u>Item 8.2</u> Clerking – I Douglas confirmed that the Council have not provided a clerk to take minutes at the meetings in the absence of Claire Bell. All agreed this was unacceptable and demonstrated lack of support from the Council. P Graham to write to Council Convener and Chief Executive to seek resolution.</p> <p><u>Item 8.2</u> Access issue near Dufftown. J Oliver confirmed that Mr Malcolm Hay of Edenglassie Lodge was the landowner who behaved aggressively towards people trying to take access. J Oliver agreed to discuss in more detail with Toby Metcalfe who agreed thereafter to speak to Mr Hay to explain about access rights and the SOAC. This will hopefully result in a more enlightened attitude from Mr Hay.</p>	<p>P Graham</p> <p>J Oliver/T Metcalfe</p>
<p>4.0</p> <p>4.1</p>	<p>LMC - Report Back of meeting with S.E.E.R.A.D.</p> <p>I Douglas and P Graham met with representatives of SEERAD on 2nd May 2007. P Graham confirmed this meeting was useful and highlighted deficiencies in the system. SEERAD will discuss at a high level how to better integrate LMC’s with Core Paths planning and other outdoor access initiatives. What is needed is a more strategic approach.</p> <p>I Douglas confirmed he is receiving maps from some farmers showing where the routes are and he is feeding back comments suggesting how the routes could be improved and better integrated with the wider paths network. Advice is also being given in an effort to achieve a single style of signage. I Douglas to provide a map for the next forum meeting showing where LMC paths are. The forum will discuss these with a view to how to achieve a more strategic approach.</p>	<p>I Douglas</p>
<p>5.0</p> <p>5.1</p>	<p>Training</p> <p><u>Future Training – to end 2007</u></p> <p>All agreed that ongoing training was important but agreed that until the end of 2007 most effort should be directed at Core Paths Planning.</p> <p>No specific arrangement will therefore be made for training to end 2007. Agreement was reached that future training to be organised should include:</p>	

<p>5.2</p>	<ul style="list-style-type: none"> • A talk on specific access issues from a local mountain bike club representative • What is responsible access on water? Cath Clark confirmed that Willie Inglis, the Factor from Knockando Estate, was interested in facilitating on site training on this issue for the forum focussing on the River Spey. <p><u>Training event – Rothes Estate Access Issues</u></p> <p>All agreed that the training held before this access forum meeting was interesting and informative and thanked P Graham for his efforts in organising the event.</p>	
<p>6.0</p> <p>6.1</p>	<p>Core Paths Planning</p> <p><u>River Spey Status</u></p> <p>The following papers had been distributed to all members prior to the meeting:</p> <ul style="list-style-type: none"> • Summary of comments from riparian owners and user representatives – Should the River Spey be a Core Path? The paper included 5 options for designation derived from the responses • Table showing overview of comments • Notes from Spey Users Group hosted by the Cairngorms National Park 18.6.07 discussing Core Path designation of the Spey. • A handout was distributed at the meeting inclusive of maps showing all the main access/egress points promoted on the SCA website. <p>P Graham declared an interest and handed the chair over to S Jacyna. S Jacyna and T Metcalfe declared an interest but all agreed their participation in discussion was acceptable.</p> <p>Discussion initially focussed on whether the River Spey met the Core Path criteria. It was clear that there was some doubt with some criteria but that the Spey was largely being treated as an ‘exception’ recognising its unique status. Discussion then focussed on the added value of Core Path Designation of the river and many members voiced doubts in this regard. P Graham suggested access and egress were what was important and access on the river was not really an issue already covered by a right of navigation. He also said that access issues on the river were dealt with through the River Spey Users Group where all stakeholders were represented.</p> <p>I Douglas explained the rationale behind each of the five options being put to the forum by the River Spey Sub Group. These were derived from the range of consultation comments collected. The options are:</p> <p>A - Designate the whole river plus all access and egress points as a Core Path – This would recognise the importance of the whole river as an internationally renowned touring water course. This proposal treats the river and access/egress points as an ‘access corridor’ designed as a comprehensive management tool.</p>	

<p>6.3</p>	<p><u>Consultative Draft Plan Launch Event – Glenfiddich Distillery</u> A paper had been distributed to all members outlining the format of the event. All agreed to I Douglas and J Oliver organising the event calling on the Core Path sub group members as required. All agreed to the format outlined in the paper. J Oliver updated the meeting on the following:</p> <ul style="list-style-type: none"> • Change of date now Friday 7th September 2007 • Richard Lochhead MSP (Scottish Minister for the Environment) will open the event in his ministerial capacity. Well done Jean! • Scottish Executive will be involved in publicising the event • Council Convener not available. Councillors Wright and Russell, Joint Chairs of the Environmental Services Committee will attend instead. Council Press Officer to be requested to co-ordinate publicity in conjunction with Scottish Executive media relations department and Glenfiddich Distillery (Wm Grant and Sons) publicity officer. <p>Forum members are asked to attend venue at 4.00pm on the 7th to help with setting up and general organisation. Members will also be allocated ‘meet and greet’ duties.</p> <p>I Douglas to prepare letter (to be signed by P Graham) thanking Mr Lochhead for opening the event. Also confirming publicity arrangements and any special requirements he may have.</p>	<p>ALL</p> <p>I. DOUGLAS P. GRAHAM</p>
<p>6.4</p>	<p><u>Strategic Environmental Assessment (S.E.A.)</u> I Douglas confirmed that the plan will require a S.E.A. to be carried out which appears to be a lengthy and labour intensive process. I Douglas confirmed that he would be responsible for the task. All agreed this was an onerous task and additional help was needed. Cath Clark agreed to explore possibilities for additional ‘hands on’ help. P Graham to write to Council Convener and Chief Executive seeking additional staff resources for the S.E.A.</p>	<p>Cath Clark P Graham</p>
<p>7.0</p>	<p>Publicity</p> <p>All agreed no specific publicity is required for this forum meeting. Publicity will be focussed on the Core Path Plan launch event on 7th September.</p>	
<p>8.0</p>	<p>Access Issues</p> <p>I Douglas confirmed that the Council operates a loose procedure for upholding access rights. This is based on responding to enquiries as they arise.</p> <p>Most issues relate to physical obstructions such as locked gates, barbed fences, fallen trees etc. Additionally there have been several instances of signage which is not code compliant.</p>	

	<p>Resolution is sought through negotiation and persuasion which has so far proved to be largely successful. As a result there has been no formal enforcement proceedings enacted to date. This is considered only as a last resort when all other attempts at resolution have failed and will be reported to the Forum prior to any action being taken.</p> <p>T Metcalfe suggested the importance of the forum being brought up to speed with access court cases across Scotland which could set precedents for Moray. I Douglas agreed to circulate any bulletins he receives on these cases to all members and substitute members.</p>	I Douglas
9.0	A O C B	
9.1	None	
10.0	<p>Date of next meeting</p> <p>The next gathering of the forum will be the Core Path Consultative Draft Plan launch event on 7th September 2007. All members are expected to attend.</p> <p>The next meeting will be 13th November 2007 at 4.00pm in the Lounge Room, Elgin Town Hall</p>	

Distribution: All Members and Substitute Members
I D Bruce – Moray Council
G Morrison – Moray Council
Cath Clark – Paths for All Partnership