

# MORAY LOCAL OUTDOOR ACCESS FORUM

## 35th MEETING

Wednesday 10<sup>th</sup> September 2014 at 4:00pm

Elgin Library

### MINUTES

**Members Present:** Michelle Gillibrand (Chair), J Oliver, Rebecca Russell, John Smith, Dave Stewart, Andy Anderson, Janet Trythall. Ian Cowe, Clive Roberts, Fay Gonzalez, Gareth Jenkins, Mary Stelmach, **Non Attendees:** D MacPherson, E Bain, I Green

Vacancies: 2

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

Item	Welcome	Action
1	In welcoming Michelle as the new convener and Fay Gonzalez and Gareth Jenkins each member of the Forum gave a brief description of their interests and activities.	
2	<b>Apologies</b> Apologies were received from, S Reid, F Murdoch, W Metcalfe,	
3	<b>Accuracy of previous minutes</b> Minutes approved. Proposed Jean Oliver, Seconded Mary Stelmach	
4	<b>Appointment of New Members</b> Two new members have been proposed, Stewart Evans (User) and Angus Dixon (Land Manager). Both were approved by the members of the Forum and are to be invited to the next meeting.	ID
5	<b>Matters Arising</b> Item 4 – G Bain Update, on replacement for I Green - Carried Forward Item 9 – No update on LOAF website at this time. A more comprehensible analysis to be given to members at the next meeting Item 12 – Contact still to be made with Moray Roads Section on Forum input on signage design for the Elgin Cycle Route. Detailed plans for this have now been submitted for planning approval with work scheduled to be completed in line with final work on the Flood Alleviation Scheme 2015.	IC MG ID
6	<b>Business Plan (Actions Update)</b> Item 2 – C.O.A.T project, complete, remove from plan. Note path maintenance required following recent flooding (Washout close to J Trythall home. ID to seek repair. Item 5 – Contact has been made with a number of Moray Joint Community Council and Community Council meetings. Item 12 – Access Strategy - Request extension of dead-line, now expected Spring 2015 for public consultation.	ID MG ID

<b>7</b>	<b>Communication Plan</b>	
	<p>No Press releases since last meeting.</p> <p>Gordon Castle Highland Games 2014 was an excellent event for the Forum to be present at resulting in much contact with the general public. Held in conjunction with the Moray Walking Festival. (MWF)</p> <p>Forum agreed in principle to repeat the venture with MWF next year. ID to pursue agreement of MWF committee.</p>	<b>ID</b>
<b>8</b>	<b>NAF/LAF</b>	
	<p>Next meeting to be held at Gleneagles Equestrian Centre on Tuesday 4<sup>th</sup> November with emphasis on horse issues. Timing 10:45- 15:30. M Stelmach and M Gillibrand interested in attending.</p> <p>Ian Douglas to arrange transport and reserve places.</p>	<b>ID/MS/MG</b>  <b>ID</b>
<b>9</b>	<b>Dornell Wind Farm</b>	
	<p>AMEC sent letter regarding new proposals and ID has responded on behalf of the The Moray Council and JO on behalf of LOAF. Copies of the response were distributed to members.</p> <p>JO reported that AMEC are putting in a revised application in October with significant changes to previous intentions.</p>	
<b>10</b>	<b>Aberdeenshire/Aberdeen City LOAFs</b>	
	<p>Once planning application submitted, Infinergy have offered to organise a site visit for the Forum. JO to liaise on arrangements.</p> <p>Detail: I Cowe confirmed that two members of Aberdeen City LOAF would like to attend. Suggested the event could look at access issues which would arise when planning a new route; Could look at 6 sites along the proposed Deveron Way between Huntly and Cabrach (3 in Moray 3 in Aberdeenshire)</p> <p>ID to liaise with Aberdeenshire (Linda Mathieson) to arrange event and work up detailed proposals to be agreed at the first Forum meeting in 2015. Numbers attending may have to be restricted due to transport and site access. Preference is for a week day evening in May 2015.</p>	<b>JO</b>  <b>ID</b>
<b>11</b>	<b>Access Issues</b>	
	<p>Gedloch Blocked Track:</p> <p>All building work now completed and there are two gates on the track one of which is randomly locked or open.</p> <p>The Planning Department is investigating enforcement and will report back. Council Corporate Management Team will decide on action, if any, under Section 14 of the Land reform Act 2003. ID to update next Forum meeting</p> <p>Cabrach House Track: Although ID considered this track near the house retained access rights despite the right of way diversion, having been advised at the time.</p> <p>The Moray Legal Dept. advice is that access rights do not apply and the track is part of 'sufficient adjacent land' based on case and precedent. TMC Legal Dept. had used the large size of the house as the basis of their judgement.</p> <p>However IC advised that the stand of trees which screen the track are commercial woodland and the case used as</p>	<b>ID</b>

	<p>precedent would not apply in this instance. The house is not visible from the track and vice versa. The Forum Convenor to write to TMC Legal Dept requesting a review of their decision based on a site visit.</p> <p>Parking Issues Ben Rinnes: At weekend there is a potential hazard due to inappropriate parking along the verges at one access to Ben Rinnes. Forum agreed this was a Roads Dept/ safety issue. As Ben Rinnes has other access points the FC might be willing to provide leaflets highlighting these in the hope of easing congestion at this one entrance which has only a small parking area.</p> <p>Damage to the Dava Way: A Dava Way Association Volunteer working party is busy repairing a washout by the Scurrypool which has closed the route. A temporary diversion is currently highlighted. The council have assisted by supplying one of the large pipes needed. Much of the fines have been swept down the path on the new C.O.A.T path at Dunphail but may be recoverable, however a large quantity of hard core is required.</p>	<p><b>MG/IC</b></p> <p><b>IC</b></p>
<b>12</b>	<b>A O C B</b>	
<b>A)</b>	Would it be possible for a member of the TMC Legal team to attend LOAF? ID to pursue	<b>ID</b>
<b>B)</b>	The Council Volunteering policy does not cover any activity not overseen by TMC. There is an ever increasing amount of volunteer work carried out on paths on an adhoc basis and the Forum requested that TMC review its policy in order to engage more fully with such activities. Forum Convenor to write to the council Chief Executive requesting the council develops a Corporate Policy to support the activities of volunteers on paths.	<b>MG/IC</b>
<b>C)</b>	Garmouth Viaduct Bridge: Temporary repairs have been made to make the bridge safe. Council will consider comprehensive works to repair decking and the carrying out of a structural survey to see what needs to be done to secure the long term future of the bridge. ID will report back on committee decision.	<b>ID</b>
<b>D</b>	Giant Chair Walk: Reported that extensive work at Dufftown and Mortlach Distilleries including major drainage work will affect parts of the path. ID has already requested that affected core paths are restored to original condition. Other Forum members may choose to represent as individuals.	<b>JO</b>
<b>13</b>	<b>Date of Next Meeting</b>	
	<b>MONDAY 24<sup>TH</sup> NOVEMBER 4.00PM TO 6.00PM IN THE GALLERY, ELGIN LIBRARY</b>	