

MINUTE OF THE ANNUAL GENERAL MEETING OF THE SCOTTISH RIGHTS OF WAY AND ACCESS SOCIETY

Held at the Dewars Centre, Perth, on Saturday 21st November 2015 at 2pm.

Present: George Menzies (Chairman), Philip Lawson (Vice President), 8 other Directors, plus 39 members and guests.

In attendance: Alison Riddell (Secretary and Treasurer), Eleisha Fahy (Access Enquiries Officer), Lynda Grant and Craig Gilbert (Access Enquiries Assistants).

Apologies: Apologies were offered on behalf of Ann Bennet, Jean Bisset, Cameron Black, Margaret and Nick Bryant, Jim Clark, Richard and Jo Doake, Eric Gotts, Keith Griffiths, Pat Hunter, E S Lyle, George MacQuarrie, Ian Provan, Debbie Ramage, Ann Rennie and Gill Simpson.

The Chairman, George Menzies, welcomed everyone to the meeting.

1. Minute of AGM 2014

The draft minute had been posted on the Society's website and there were copies for those in attendance. There were no questions or comments so the minutes were treated as approved.

2. To receive the Report of the Directors

Chairman George Menzies presented the Directors' Report. He said that it had been a very successful year financially and also generally as the staff had worked very hard to cope with an ever growing workload. The directors had decided to recognise this with a small bonus in the light of the challenges of staff changes and the increased workload.

The Chairman highlighted the continued involvement in wind farm consultations, the number of which had increased substantially this year, although this may well drop as incentives are removed. He mentioned that one of the matters troubling the Society for 12 years was the right of way at Bloomfield in Fife. The matter had now been resolved following the death of the owners as the sales particulars make reference to a right of way along the edge of the property.

He went on to say that the matter would have been brushed under the table had it not been for the work of several volunteers including Sandy Valentine and Chris Hobster. The Board appreciates how much volunteers contribute to the Society to enable staff to cope with their workload. The Chairman paid particular thanks to John Mackay for his great contribution to the Society's effectiveness in responding to major wind farm proposals, preparing objections and appearing at inquiries. John has introduced to reporters at wind farm enquiries the idea that the proposals have previously been examined from too narrow a perspective and that they have wider implications. Other very active volunteers include Alistair Lawson who has given talks across the country on the history and work of the Society. As Alistair is keen to reduce his involvement in this work, the Board is currently working on producing a composite talk for delivery by a number of people, adjusted to provide a local slant for individual groups. Giving these talks

enables the Society to stress that it still has a function both regarding rights of way but also in respect of general access issues.

There were no questions on the Directors' Report.

3. To receive the Accounts

A summary of the accounts had been published in the Annual Report, and full copies were available at the meeting. The Finance Committee Chair, Muriel Robertson, explained that the Society is required to produce the accounts in a set format to comply with a Statement of Recommended Practice but this is not particularly easy to follow. She therefore spoke to a number of slides providing a breakdown of the main figures, looking at the last year's income, the pattern over the last five years, how the money has been spent and the budget for the coming year. She pointed out that the figure shown in the accounts for the surplus looked higher than was actually the case as it included funds received from the Brown Forbes trust to meet a deficit brought forward from last year, and also the funds collected for the Donald Bennet appeal. The actual surplus on unrestricted funds was therefore about £26,000. This is still a high total which reflects an unusually busy year.

She pointed out that the largest sources of income are from subscriptions and legal searches. The level of subscriptions is fairly stable but is eroding by a small amount annually. The fluctuation in local authority subscriptions is administrative rather than actual. The surplus is however very dependent on the search income which was about £50,000 last year but has risen to £80,000 this year, hence the need to register for VAT. There is speculation as to the reasons for this but the board is being cautious in its projections for next year as to whether this boom will continue.

She provided a breakdown of the main headings of expenses, the largest of which is staffing. As there are three full time equivalent staff, she thought it remarkable that they should get through so much work with so few people. She summarised the main activities of the office: searches; compliance issues such as data protection, health and safety and VAT; projects such as the Lammermuirs which the extra finance gives the Society confidence to undertake. She went on to explain the costs provided for in the next year's budget, namely more staff than in the previous year, the provision of a staff pension scheme, a provision for raising the profile of the Society and the Lammermuirs project.

She finished by thanking those present for their continued membership and support. She asked them to: talk about ScotWays to their family and friends; follow the Society on social media; communicate with the Society through electronic communication and take up any volunteering opportunities which arose.

The Chairman mentioned how it was essential to use electronic means to turn round searches promptly. The Society was pleased to have recruited Craig Gilbert from Fife Council's access team during the year for the combination of both his access knowledge and experience and his IT knowledge.

Peter Mackay asked, given the volume of legal searches, whether the Society had professional indemnity insurance, and how the level of fee to charge was determined. Muriel Robertson responded that the level of fees had been increased last year and that the Board's concern was directed more at the volume of searches. She confirmed that the question was currently on the board agenda but it was not straightforward to obtain insurance as most such policies were aimed at legal firms and the Society provides factual reports rather than advice. The Chairman suggested that the new access law providing open access might be regarded as reducing the risk to landowners of not being made aware of rights of way.

There was then a discussion as to whether the CROW data should be made publicly available given that public funding had been made available to set it up. The Chairman confirmed that there was some pressure to do so but there was no moral reason to do so. The funding was only to set it up but not for ongoing maintenance, and it could never be regarded as finalised or definitive. It was confirmed that while maps could be made available on request, the Catalogue contained a variety of information some of which it would not be appropriate to make public. Eleisha Fahy confirmed that a route would not be added to CROW as a right of way without discussing it first with the appropriate local authority.

John Mackay provided a brief summary of how CROW came to be set up. He said that it was reasonable for the Society to charge for professional enquiries to maintain the body of information as CROW was no longer funded from public sources.

4. To appoint Directors

Three directors were due to retire by rotation, and all were willing to stand for re-election. No others had been proposed.

Hugh Anderson is very active in his Local Access Forum around Perth and Kinross. His appointment was proposed by George Menzies, seconded by Douglas Wright and carried unanimously.

Pat Somerville is particularly useful in her experience in equestrian matters and knowledge of access law relating to that. Her appointment was proposed by Muriel Robertson, seconded by Peter Wood and carried unanimously.

John Pope is a very hardworking member of the board and pursues matters very successfully through his Local Access Forum. He is also involved in leading walks in Midlothian. His appointment was proposed by George Menzies, seconded by Peter Mackay and was carried unanimously.

5. To appoint the Independent Examiner of the Accounts

The Chair of the finance committee, Muriel Robertson noted how helpful and efficient the accountants, Henderson Loggie, had been, both in relation to the preparation of the annual accounts and also in providing advice relating to registration for VAT. She proposed the re-appointment of Henderson Loggie as Independent Financial Examiner of the Accounts. The proposal was seconded by John Craig and approved unanimously.

7. Memorial to Donald Bennet

Alison Riddell provided an update on the appeal to fund a memorial to Donald Bennet. She summarised why the Derry Burn bridge was considered a suitable memorial and explained the basis on which the target figure for the appeal had been determined. She narrated how the Society had provided a bridge for the temporary crossing of the Derry meantime and went on to explain how the current total of £28,000 had been achieved. She stressed the importance of gift aid in providing £4,000 of the total.

8. Lammermuirs Project

Eleisha Fahy provided a brief summary of the aims of the Lammermuirs project and the stage it has reached. She explained that the previous map had reached the end of its print run. Based on the success of the Campsies map, the proposed replacement was to focus less on long-distance routes and more on other recreational activities, and the project was also intending to improve signage. The signage audit involved checking the condition of known signs and scoping new ones. Volunteers are checking Scottish Hill Track routes and other routes flagged up to the Society. The signpost audit is almost complete and progress is well-advanced with walking the proposed routes. We would still welcome contributions regarding members' favourite routes in the area for possible inclusion. David Langworth has produced a draft map but it is a work in progress. The next stage is to have a meeting with the access officers for the two local authorities, both of whom have been very supportive, to appraise what we have and identify a wish list. We are very grateful to the various funders – the local authorities, the Tweed Forum and Gifford Community Council.

9. Any other competent business

John Pope asked for members' help in relation to the right of way between Crichton Castle and Borthwick Castle. He explained that this lovely RoW had been blocked under the Waverley Act during the construction of the Borders Railway but he had just received a photo of two new kissing-gates installed by Network Rail and he had asked for confirmation that the blockage therefore no longer existed. He went on to explain that there were problems with a farmer of land on the Borthwick side of the route who had erected a deer fence, despite having no deer, and had not taken it down despite having formal notice to do so served on him by Midlothian Council. As the local authority is concerned that they don't have enough complaints about the problem to justify the expense of court action, John was encouraging all those present who had walked the route to write to the ScotWays office to complain about the route being closed. Such complaints would then be passed on to Midlothian Council.

Alison Riddell referred to the appreciation expressed for all those who help ScotWays as volunteers and pointed out that the directors were all volunteers who carried the additional responsibility of running the Society and being accountable for anything which should go wrong. She and the other members of staff were very grateful for all the help and support provided to them by the board.

The Chairman then thanked all those present for attending and drew the meeting to a close at 3.20.

Proposed: asd }

xx/ 11/2016

Seconded: asd }

50 years of the Mountain Bothies Association

The meeting was followed by a talk by David Dixon on the work of the Mountain Bothies Association as it celebrates its 50th anniversary.