

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

Held by Zoom

on Saturday 20 November 2021 at 11 am.

Present: Bob Aitken (Honorary Vice-President), John Elliot (Chair), Katharine Taylor (Vice-chair), 6 other Directors, plus 52 members and guests.

In attendance: Alison Riddell (National Secretary and Treasurer), Eleisha Fahy (Senior Access Officer), Lynda Grant, Karen Lowrie, Neil Feggans and Shenja Erismann (AccessOfficers), Richard Barron (Chief Operating Officer).

1. Apologies

Apologies were offered on behalf of 21 members.

The Chair, John Elliot, welcomed everyone to the meeting, particularly those from further afield who would have been unable to travel for a meeting in person but were able to participate in a virtual meeting.

2. Minutes of AGM 2020

The draft minutes had been posted on the Society's website. The minutes were approved after being proposed by Tim Simons and seconded by Craig Gilbert.

3. Minutes of EGM March 2021

The draft minutes had been posted on the Society's website. The minutes were approved after being proposed by Katharine Taylor and seconded by Steve Murray.

4. To receive the Report of the Directors

John Elliot presented the Directors' Report, providing a summary of the activities over the past year and giving an indication of the board's plans for the future. He commended the hard work of the staff during a difficult year in providing an excellent service. He then invited Muriel Robertson, retiring director, to reflect on her seven years as a director.

Muriel started by looking at the main issues on the agenda when she joined the board in 2014, namely:-

- ScotWays was financially stable but had a diminishing number of members and an increasing demand for its services

- A feeling that ScotWays was one of Scotland's best kept secrets

- The threat of closures of level crossings highlighted by the then Chair, George Menzies

Turning to 2021, financial sustainability remained firmly on agenda. The Society had benefitted from recurring income but also from various legacies over the years, both large and small. These in aggregate together with the Donald Bennet appeal had permitted ScotWays, among other things, to carry out several bridge projects, Derry, Upper Quoich, Sawmill, Carnach and Eidart – five in seven years was an impressive total.

Muriel repeated the Chair's praise for staff. In addition to those members of staff who had been involved with the Society for some years, the improved financial situation allowed for the recruiting and retention of extra staff. Legacies had also allowed the Society to invest in a new computer system without which it would have struggled during the pandemic and the staff could not have worked from home.

The Society has been re-energising its relationships with its volunteers. It has also been increasing its profile and consequently its influence. There have been television, radio and press appearances. The newsletters and annual report have been revamped too. There are now e-newsletters to direct messages to volunteers and members. During the recent Scottish election campaign, the Society held a hustings with five of the candidates which attracted a live audience of about 80 with a further 800 watching the recording at a later date. Last year, the Society recruited more than 100 new members.

Muriel went on to review progress in signposting. In 2014 we knew we had 'lots' but couldn't say where they all were. After a great deal of work on the Society's records, we have now confirmed that we have more than 4,000 signs recorded and it is interesting to see their distribution across the country. Between the information provided by the signposts and the Scottish Hill Tracks, there is something for everyone interested in access in Scotland encompassed in ScotWays.

Turning to access activity: in seven years, the Society has produced both a law guide and a short law leaflet, setting out access rights in Scotland. Much work has also been done on mediation with the National Access Forum and the Scottish Outdoor Recreation Alliance. Muriel was pleased to observe how well respected the Society is by partner organisations and by access officers. Demand for access information has indeed increased during lockdown. We also appear to have come full circle on level crossings with the Dalwhinnie crossing closure high on the agenda.

Public access needs an organisation and ScotWays is it, with its longevity, expertise and tenacity. Muriel concluded by inviting those attending to raise their glasses to the staff and to the board she was leaving. Together, along with John Elliot's strong leadership, she felt they put ScotWays into an excellent position to address the future.

The Chair then thanked Muriel for the permanent mark she had left on ScotWays.

5. To receive the Accounts

Director and chair of the finance committee Terry Holmes presented the annual accounts for the year to 30 June 2021. An abstract of the accounts had been published in the Annual Report, showing a surplus of £25,168 for the year, compared with a deficit of £128,883 for the previous year. The surplus arose because of the strong performance of investments without which there would have been a loss. A deficit of £21,083 was reversed by investment gains of

£38,636 over the year. The investment portfolio was currently worth about £400,000.

The largest element of expenditure was on staff, £155,403, then support costs such as maintenance of building, telephone etc £34,237, followed by other costs such as the annual review of accounts, insurance etc totalling about £8,000, giving total costs of just under £200,000. To cover that, there were three sources of income, one of which was legal searches which produced £106,440 against £84,419 last year. This increase arose partially from a higher number of searches but also because we had increased our charges for the service, so the total was closer to the 2019 income. The second source was membership income, which had increased to £30,626 against £25,671 again partly due to increases in some of the subscription levels.

Turning to legacies, over three years 2017, 2018, 2019 this had generated around £200,000, since when we had received £500 last year and £0 in 2021. Legacies are an unpredictable source of income and we can do little to improve it other than make people aware of the possibility of leaving a legacy to the Society. Details of how to do so appear on the ScotWays website.

Finally, funds tied up in designated reserves had now been moved into the general reserves so directors were freer to apply them without being inhibited by previous decisions.

6. To appoint the Independent Examiner of the Accounts

Director Terry Holmes reminded members that the decision had been taken after many years with the same Independent Examiner to test the market. Four firms had been approached, three had responded and two had been interviewed. Whitelaw Wells had been considered the better of the two for cost and value and had therefore been appointed. Terry therefore proposed that they be reappointed for the coming year. Muriel Robertson proposed their appointment which was seconded by Peter Wood and passed by the membership.

7. ScotWays inaction

Tim Simons, the director responsible for volunteers and for leading on the new edition of *Scottish Hill Tracks*, was the first to speak, about the steps taken to modernise and improve the engagement of ScotWays with our volunteers. All volunteers are asked to complete a simple registration form and abide by a Code of Practice setting out what ScotWays expects from them and what they can expect from ScotWays. The aim is two-fold, to ensure that we can make the most of our volunteers' skills and enthusiasm and also so that they are covered by our insurance when working on our behalf. He reported that we now have 115 registered volunteers from around the country. We are very grateful for their support and want to build on it.

He went on to say how much we continue to miss the office volunteers, of which he was one. Before they can be invited back to the office, however, there was a need to clear space to ensure a safe working environment and also to define the roles that volunteers could fill in our new way of working. Tim then introduced the newest member of staff, Neil Birch, Access Officer (Outreach) who will be

overseeing the volunteers and their contribution to ScotWays work. Neil said a few words about his background and how much he was looking forward to starting at ScotWays the following week.

Tim then provided an update on the work towards a 6th edition of *Scottish Hill Tracks*, which had naturally been delayed because of lockdown. Volunteers were able to resume surveys of the 344 hill tracks in April 2021 and, to date, 51% of routes have been surveyed, another 28% allocated for survey but not yet done and the remaining 74 tracks, particularly in Galloway, South Ayrshire and Kintail, were awaiting volunteers. As it is hoped to complete the project by Autumn 2022, help was requested and Tim confirmed that volunteer surveyors did not have to be ScotWays members.

Senior Access Officer Eleisha Fahy was next to speak and said that the office appeared to be busier than ever before. During lockdown, more people were out and about appreciating their local area and reporting more problems. Two main issues are taking up office resources at present, one of which is the Dalwhinnie level crossing closure explained in more detail in the annual report. The petition by the Ramblers Scotland, which ScotWays helped to promote, gathered over 9,000 signatures. It was presented to Network Rail at the stakeholder meeting where a wide range of parties voiced their concerns. Network Rail characterise the situation as a restriction rather than a closure but the crossing is closed to the general public. All present other than Network Rail agreed that it should be reopened. ScotWays input included looking at the signage as the closure was done in an unsafe manner. Richard Barron worked with Network Rail on this aspect, demonstrating to Network Rail that we too are concerned with safety.

For ScotWays, the issue is significant as being indicative of Network Rail's attitude to public access, giving rise to concern that the same will happen elsewhere unless it is addressed now. There is a recorded Right of Way over the Dalwhinnie crossing which is not recognised by Network Rail. Network Rail's approach to access has been seen not just on level crossings but also on bridges and underpasses, so if this approach is applied elsewhere, a railway will form a barrier rather than connecting people. ScotWays considers that our view is backed up by the Joint Law Commission Review of about ten years ago and we gathering information to seek a legal opinion on the matter. This is very time-consuming work but has important implications.

The other case which has blown up recently is at Glenborrodale in Ardnamurchan and is now going to the Sheriff Court. It is another long standing matter and ScotWays is supporting The Highland Council in their efforts to resolve it, initially through the core path process. The landowner has now sought to pre-empt the core path process by seeking a declarator that the area is not subject to core path rights but the Highland Council is seeking to counter this with a declarator that the route is a public right of way. As ScotWays has committed our time and resources to Network Rail and Dalwhinnie, we are not directly involved in this but are working with The Highland Council and Ramblers Scotland on the matter behind the scenes.

Alongside these two main issues, the staff is also working on mediation, and is considering issues in relation to forestry and water-based access. Lastly, we are of course continuing our regular work maintaining CROW, adding any unrecorded rights of way we hear about, provide input to planning applications, directing people to their local access teams who have the duties and powers to act, and supporting such teams in their work. It is vitally important to have a good staff team in this work and Eleisha expressed her gratitude for the contributions of those who have recently left the team as well as those who are still with us, the new recruits, and the volunteers, including directors, whose input is invaluable. Our records are based on a significant amount of volunteer-gathered information without which we couldn't operate.

Chief Operating Officer Richard Barron concluded this aspect of the meeting and started by inviting the other two new members of staff, Karen Lowrie and Neil Feggans to introduce themselves. He spoke about the successful application for a Digital Boost grant which will be used to obtain new laptops and supporting accessories for all staff, to help cyber security and help staff to keep their work and personal matters separate particularly when working from home. It will also be used to help create a new website which will look quite different to the current one and will incorporate the Heritage Paths website. A developer is working with the National Library of Scotland to ensure that we can still use the same mapping. Instead of FAQs, we will have a wiki which it is hoped will make it easier to use.

Finally, Richard reported that ScotWays is almost at the final stage of opening the new system up to volunteers. It will create a portal for volunteers to log information directly rather than sending it in to the office for someone else to log. Richard finished by thanking all the volunteers for their support in what had been another difficult year.

8. Anyothercompetent business

Members were reminded that ScotWays Christmas cards were still available to purchase. There were no other questions, which it was hoped was a reflection that members were happy with the way the work was being done.

The Chair then thanked his fellow directors for all their hard work and support during the year. He concluded by thanking all those present for attending and drew the meeting to a close at midday.

Proposed: asd }

xx/ 11/2022

Seconded: asd }