

# THE DAVA WAY ASSOCIATION

Minutes of the Annual Members Meeting (AMM) held 6<sup>th</sup> November 2018

Venue: Forres Lawn Tennis Club, Albert Street, Forres, Moray, IV36 1PR

Meeting Opened: 19:30

Item	Minute	Action By
1	<u>Welcome:</u> The Dava Way Association (DWA) Chair (Neil Sinclair) chaired the meeting and welcomed those present. He encouraged any non-members to engage fully in any discussions, but reminded them that they could not vote on any proposals made.	
2	<u>Present:</u> <b>DWA Members</b> Alex Ross, Doug Hartley, Greg McAulay, Neil Sinclair, Norman Thomson, Paul Barron, Pete Mitchell, Robbie Roberts, Trevor Thornley. <b>Guests</b> (None)	
	<u>Apologies:</u> Bill Budge, David Binney, Henrietta Grant-Peterkin, Malcolm Campbell, Pearl Hamilton, Wilson Metcalfe.	
3	<u>Membership Invitation</u>	
3.1	Neil Sinclair invited any non-members present to apply for membership by completing a DWA Membership Application form. He added that, under clause 13 of the DWA Constitution, the applications will be considered by the board at its next meeting.	
3.2	Norman Thomson asked for clarification of what membership of the DWA entails and what the benefits are. Neil Sinclair explained that membership is open to any individual aged 16 or over who supports the objectives of the Association. They must sign a written (including email) application for membership and the application will be considered by the DWA Board of Trustees at its next board meeting. No membership subscription is currently payable and the benefit to members is that they can influence the running of the Association by voting on resolutions at the DWA AMM and/or special members' meetings.	
4	<u>Review Approved Minutes from Previous AMM</u> Neil Sinclair reported that the minutes from the previous AMM were approved by the DWA Board of Trustees at the board meeting held 14/11/18; ref clause 51 of the DWA Constitution. However, any errors or omissions may be noted in the minutes of this AMM. The approved minutes of the previous AMM were read and no errors or omissions were noted.	
5	<u>Matters Arising from Minutes of Previous AMM</u>  (There were no matters arising)	

6  
6.1

Chair's Annual Report

Neil Sinclair (DWA Chair) presented the following report; ref clause 29.1 of the DWA Constitution:

Good evening again and now I would like to take this opportunity to present the Chair's Report for the year ending 2018. This report covers the period up to April 2018 to coincide with our financial statement which our Treasurer will cover next.

Before I get into the report more deeply I am going to say some important numbers and it would be good if someone could guess their significance.

22 50 0, 29 00 ...and before anyone thinks I know next week's lottery number I don't, so does anyone have an idea?

These are the footfall counts for the year 17-18. 22,500 walkers and 2,900 cyclists passed over the Dava Way. Some of the You Tube clips posted by people on bikes enjoying the route took over 6500 views and we scored 4.5 and an 'Excellent' from Trip Advisor, so we must be doing something right.

The total footfall count up the 18<sup>th</sup> of April as a matter of interest is 73,926 from 2015, when the new counters were installed. So that's where we are in usage terms, but how did we get there?

As the numbers show we had a very successful year and a well-supported Ghost Train Walk taking place in June. Just over 100 entrants and a very pleasant night for the walk. My thanks go out to all who helped and supported us and in particular a very big thanks to COTAG, the Community Off-Road Transport Action Group for the radio and 'First Responders' cover they provided out on the moor, and to 1st Forres Scouts for the 'Field Kitchen' they so expertly provided. Great breakfasts. Many kind people gave up their time to support us in lots of ways and a big thank you to all concerned.

As our Treasurer will show in his report we had a most successful year in terms of donations to the cause, and donations from some quite unexpected sources. The James Thin Trust for example. James Thin was a publishing company and bookshop based in Edinburgh. One day one of the family walked along the Dava Way, liked what he saw and offered to help. The list goes on and the details are in our Financial Report.

We have benefited from the Berry Burn Community Fund over this and subsequent periods. A wacker plate for compacting the path surface and a wood chipper are the items of 'plant' that we have subsequently been able to purchase.

A very big thank you to all individuals and organisations that have been very generous with their support for our association.

All the organising that the Association requires just does not happen by chance. A considerable amount of time and effort is spent 'behind the scenes' and for this a big thank you goes out to Paul our treasurer, Pete the work party coordinator, Malcolm our secretary and project manager, Trevor the minutes secretary, Robbie for being the Vice Chair and helping me, Norman for representing us at numerous meetings with other like organisations, Doug for bringing new ideas to the table in areas such as HSE and finally David for his help with our IT needs. Gentlemen, thank you very much for all your hard work.

We have continued to fostered good links with organisations such as Sustrans and SNH and we have been able to secure funding which has enabled us to make improvements, firstly down at Lynmore then eventually at Squirrel Neuk. This second project did have a stalled start date and that's why it gets a mention in this reporting period. Item 11 on the agenda will give us an update on progress there.

Another major project was the replacement of fencing at Muir of Logie and with funding from Sustrans we were able to complete this large and important project and include urgently needed drainage work in that area.

Money For Moray also enabled us to make improvements up towards the Divie Viaduct. All to keep feet dry.

I would just like to say a big thank you to all involved with getting these projects up and running. A member, name withheld, once said to me that during his working life he project managed major projects and when retired he never thought he would be doing it all over again. Projects coming in at about 1/8 million pounds need to be managed properly and they certainly have.

We have many plans for the future, some still in very early stages of fruition, but as you will hear next we are financially in a strong position to go forward and I believe the organisation is robust but we would welcome more help at committee level. Young blood is always welcome.

That concludes the Report from the Chair for 17-18.

Thank You.

6.2 Trevor Thornley thanked Neil Sinclair for his work as DWA Chair.

7 Treasurer's Annual Report

7.1 The DWA Treasurer (Paul Barron) presented the following report:

As a SCIO the members are required to consider our annual accounts for the financial year 17/18. Accordingly copies of the Trustees Annual Report incorporating our annual accounts starting on P5 have been circulated to all Trustees and further copies have been distributed around the room for consideration by our members. These annual Payment and Receipt accounts have been examined

by our accountant, Gordon Scott CA, and he is satisfied that our accounting records comply with the necessary legislation and regulations.

## **DWA Finances Key Points**

### Receipts/Income

Total Annual Income for 17/18 was £44636. This included a £22845 restricted grant from Sustrans to undertake general improvements to the Dava Way which included fencing works at Muir of Logie and landslip repair/drainage works at Longley, Bantrach and Dava Moor. The balance of the Sustrans Grant for improvements specifically at Lynmore in 16/17 amounting to £1670 was subsequently transferred to the DWA general fund with the agreement of Sustrans, for use in further path improvements of our choosing.

Further restricted grants of £4000 were received from Money for Moray to undertake path improvements between Auchearn and the Divie Viaduct, which required a minimum of £1000 seed funding from the DWA. The DWA was successful in obtaining two grants from the Berry Burn Community Fund totalling £4220 to purchase a wood chipper and plate compacter, the latter actually being purchased in advance under the terms of Berry Burn funding, during 16/17.

Finally a restricted grant of £250 was secured from Johnston and Carmichael late in the financial year to be used to purchase small tools and has been carried forward into 18/19.

Income receipts for fundraising activities during 17/18 included donations of £2130 for the June 17 Ghost Train Walk and income from participation in the Moray Walking Festival with receipts amounting to £666.

Other significant income included donations totalling £9059 and special mention must go to a donation of £5000 from the James Thin Trust, £500 from one of our members, £455 from Logie Estate as a contribution to fencing and £300 raised as sponsorship by the Treasurer walking across the new Queensferry Crossing prior to opening in aid of the DWA.

Under our Gross Trading Receipt heading sales of DW Companion Guide Books produced an income of £414, however sales of cloth badges had slowed to a trickle.

The recovery of Gift Aid from HMRC covering a period of some two years to 1st October 2017 raised £1403.

During the financial year the number of individuals that give regular monthly donations to the DWA reduced to 6, but this still provided us with a continued steady income stream to cover known general fund liabilities and if any others are like minded to financially assist the DWA in this way, we would welcome this help from other benefactors.

## Payments/Expenditure

Total Expenditure over the financial year amounted to £33816. This expenditure included most significantly £21452 on the work to improve the Dava Way from the Sustrans Grant with £1393 carried forward into 18/19. The full amount of £4000 Money for Moray grant was used to improve the Dava Way at the northern approach to the Divie Viaduct with the DWA allocating £1075 of seed funding for this project from our own cash reserves.

A total sum of £4432 was spent on general day to day work to maintain the Dava Way including, purchase of materials, purchase of small tools and servicing/maintenance of equipment, fuel purchase, etc. Other significant payment items did this financial year include two public liability insurance payments totalling £716 following the invoicing error at the end of 16/17. Trustee's expenses totalled £626.

Other expenditure included within expenses for fundraising activities were £1637 on the Ghost Train Walk 2017 and £446 on Moray Walking Festival expenses entirely spent on minibus hire.

The success of the DW Companion guide book has required a further update and reprint and the cost of this reprint amounting to £1588 is shown under Gross Trading Payments.

The DWA purchased a new wood chipper at a value of £3420 from the Berry Burn Community Fund. With this new asset investment in a wood chipper and the purchase of trailer ramps, the 17/18 book value of our fixed assets after depreciation has increased from £4680 to £6262. In accordance with our accounting policy all these assets will continue to depreciate in value at 20% per annum.

At the comparative year ends 16/17 and 17/18 our General fund bank balance increased from £4013 to £9966 and we held a balance of £1643 in the restricted funds with £1393 allocated to further improvements of the Dava Way from the Sustrans grant and £250 for tool purchase from Johnston and Carmichael.

The trustees consider that these amounts are still appropriate to allow them to continue to support the charitable activities of the DWA in the foreseeable future and have agreed that the healthier bank balance now available should be partially used as pump prime/seed fund or match fund to support other grant opportunities in the future, if opportunities arise, or to be used to replace major items of equipment should regular servicing/maintenance become uneconomic.

- 7.2 Paul Baron stated that, although the General Fund bank balance is healthier this year, he recommends that the prudent decision of the AGM of the Dava Way Association eight years ago to always maintain a minimum operating bank balance of £1000 should be sustained. Alex Ross asked if a Minimum Operating Balance (MOB) is still adequate, taking into account inflation and other factors. Paul Barron explained that £1000 is the amount currently required to cover the

	<p>statutory liabilities and essential operating costs of the DWA for a maximum of three years, primarily the public liability insurance premium. Paul Barron proposed that the MOB remain at £1000. Agreed unanimously.</p>	
8	<p><u>Consideration of the Trustees Annual Report:</u></p>	
8.1	<p>Neil Sinclair quoted clause 29.2 of the DWA constitution, “The business of each AMM must include ... consideration of the annual accounts of the organisation”.</p>	
8.2	<p>The Trustees Annual Report was read and accepted without change. Trevor Thornley noted mention in the preamble to the Trustees Annual Report of the restoration of the Dunphail station sign. He thanked Greg McAulay for carrying out the excellent restoration work.</p>	
9	<p><u>Review of Membership Fee Amount</u></p>	
9.1	<p>Paul Baron quoted clause 16 of the DWA constitution, “A membership subscription will be payable annually, the amount to be agreed at the AMM”. He stated that this amount is currently nil.</p> <p>Norman Thomson described a scheme for the collection of an annual membership fee from members of the Forres In Bloom organisation and suggested that the DWA may wish to do the same as a means of generating income.</p> <p>Paul Baron thanked Norman Thomson for his suggestion but pointed out that, apart from voting rights at the AMM, membership of the DWA does not provide any tangible benefit to members. This, along with the administrative burden of collecting what would be a very small amount, does not, in his opinion, justify the effort required.</p> <p>Paul Barron proposed that the annual membership subscription amount payable should remain nil. Agreed unanimously.</p>	
9.2	<p>Paul Barron added that individual/monthly donations are always welcome.</p>	
10	<p><u>Health and Safety</u></p>	
10.1	<p>Neil Sinclair stated that clause 4 of the DWA Health and Safety Policy requires that health and safety is included as an agenda item at each AMM, when volunteers will be invited to raise issues.</p> <p>Neil Sinclair stated that the health and safety policy and practices of the DWA continue to evolve. Trevor Thornley added that a recently retired health and safety professional has offered to advise the DWA on health and safety matters and progress the review of the DWA Health and Safety System.</p>	
10.2	<p>Trevor Thornley reported the following incidents:</p>	
10.2.1	<p>Wasp Stings</p> <p>A DWA volunteer was stung multiple times when he disturbed a ground level wasp nest during vegetation cutback operations. The volunteer confirmed to the first aider that he was not allergic to wasp stings (possible anaphylaxis) but that he was experiencing discomfort and there was some localised swelling on his wrists, hands and face. He was checked for any remaining stingers and, following advice from NHS 24, he was provided with antihistamine tablets and cream from a local pharmacy. The volunteer recovered quickly with no lasting effects.</p> <p>A brief investigation concluded that the presence of a ground level nest is not apparent until the wasps appear, thus the hazard is to all intents and purposes unavoidable. Though uncomfortable, the medical risk to</p>	

<p>10.2.2</p> <p>10.3</p>	<p>most volunteers is low, but the risk increases to high where the volunteer is highly allergic to wasp stings and may suffer anaphylaxis. Antihistamine tablets and cream have been added to the DWA first aid kits for easy availability when working in more remote sections of the DW. The DWA volunteer application process should identify those persons that are at risk of anaphylaxis.</p> <p>Livestock Incident</p> <p>A DW walker posted details on the DWA Facebook group about an incident involving a young cow at the Muir Of Logie crossing point. The walker reported that the cow accessed the DW from an adjacent field north of the Peathillock Cutting via a poorly maintained field gate or fencing. The walker made several attempts to pass the cow, each ending up with the cow bolting and moving further north up the DW. Eventually the cow reached the four gate system at the Muir Of Logie crossing point and, finding itself enclosed, it charged the walker who managed to jump to one side. The cow then bolted over the adjacent post and rail fence, damaging the post and rail fence as it did so. This livestock incident highlights the potential hazard to DW users from free-roaming livestock. This incident occurred due to a poorly maintained field gate and/or adjacent stockproof fencing. The DWA is not responsible for the maintenance of field gates or stockproof fencing running alongside the DW route. Such maintenance is the responsibility of the 'occupier' (e.g. farmer). The DWA will continue to work with the estate Factors and farmers by reporting damaged stockproof fencing and field gates.</p> <p>Neil Sinclair asked if anyone present had any health and safety related issues that they would like to raise. No issues were raised.</p>	
<p>11</p> <p>11.1</p> <p>11.2</p>	<p><u>Current and Future Projects</u></p> <p>Squirrel Neuk Ramp</p> <p>Doug Hartley reported that the contractor completed the ramp works earlier that day. Two finger posts, removed for site access, will be reinstalled at a forthcoming DWA work party as part of a final tidying of the site. Neil Sinclair circulated photographs of the completed ramp. Pete Mitchell added that the DWA had planned to carry out the ramp construction during the winter of 2017-2018, with majority funding provided by Scottish Natural Heritage (SNH), but the project stalled due to the landowner's wish to retain two mature trees on the site. A design change was required, which increased project costs, and by the time the additional funding had been agreed the shooting season had started and the weather was deteriorating. The decision was made at that point to reapply for funding from SNH in financial year 2018-2019.</p> <p>Refurbishment/Replacement of DW Information Boards</p> <p>Norman Thomson reported that Bill Budge had commented on the tatty state of some of the information boards along the DW and had offered to assist with funding their refurbishment/replacement. This prompted Norman to carry out a comprehensive survey of all the information boards and interpretation panels along the route, the results of which were presented to the members.</p> <p>Neil Sinclair stated that he had manufactured the original frames for the information boards at least 10 years ago. They were made out of softwood and the rigours of the Scottish climate have taken their toll. Options for refurbishing/replacing the information boards will be discussed in detail at the next DWA Board of Trustees meeting.</p>	

11.3	<p><b>Mini-Digger Training</b> Neil Sinclair reported that it has been repeatedly suggested that a mini-digger would be a welcome addition to the DWA tool-set, usually following hours of back-breaking ditch clearance works. The purchase and maintenance cost of such equipment far exceeds the resources available to the DWA, but it may be possible for a suitable machine to be hired in when required. Neil added that he is currently researching the availability of mini-diggers from local plant hire companies and the feasibility of having a number of DWA volunteers trained to operate them. The Tesco 'Bags of Help' local community grant scheme has been identified as a potential source of funding for such a project.</p>	
12	<p><u>AOCB</u> Neil Sinclair asked if anyone present had any other related business they would like to raise. No other business was raised.</p>	
13	<p><u>Date of the Next Meeting</u> Neil Sinclair proposed that the next AMM should be held on Tuesday 5<sup>th</sup> November 2019. Agreed unanimously.</p>	
14 14.1	<p><u>Resignation and Election/Re-election of Board Members</u> All the DWA board members retired from office and offered themselves for re-election. Neil Sinclair asked if any other DWA members would like to stand for election – there were no takers. The following members were duly re-elected as board members:</p> <p>Doug Hartley, Malcolm Campbell, Neil Sinclair, Norman Thomson, Paul Barron, Pete Mitchell, Robbie Roberts, Trevor Thornley</p>	
14.2	<p>Neil Sinclair announced that the next DWA Board of Trustees meeting would be held 19:00 13<sup>th</sup> November 2018 at The Hub, 20 Tolbooth Street, Forres, Moray, IV36 1PH.</p>	

Meeting Closed: 21:05



Neil Sinclair  
Chairman  
Dava Way Association