

## **JOHN MUIR TRUST: TRUSTEES' MEETING**

### **Minutes of Meeting held on Friday 21<sup>st</sup> and Saturday 22<sup>nd</sup> September 2018 at Tontine Hotel, Peebles**

**Present:** Peter Pearson (Chair), Peter Foulkes, David Gibson, John Fox-Davies, Patricia Jordan, Duncan Macniven, Jo Moulin, Andrew Whitfield, Richard Williams and Douglas Wynn.

**Apologies:** David Broom, Alan Dobie, Jim Gibson, Derek Johnston and Chris Townsend.

**In attendance:** Andrew Bachell (Chief Executive), Kerry Ross (Director of Finance and Resources), Mike Daniels (Head of Land Management), Kevin Lelland (Head of Development and Communications) and Helen McDade (Head of Policy).

#### **Item 1 – Introductory items**

Peter Pearson welcomed everyone to the meeting. The apologies were noted, together with an apology from Rob Bushby who would be leaving the Trust before the next meeting and to whom Trustees sent best wishes for the future. Peter Pearson requested declaration of any conflicts of interests: there were none.

#### **Item 2 – Minutes of last meeting (Paper A)**

The draft minutes of the meeting on 15<sup>th</sup> June 2018, which had been circulated, were **approved** with minor amendments.

#### **Item 3 – Matters Arising**

There were none.

#### **Item 4 – Action Points from Previous Meetings (Paper B)**

On the proposed links with the Sierra Club and Yosemite National Park (Action Point 4 from the meeting on 16<sup>th</sup> June 2017), Peter Pearson reported that he had heard nothing further from the Club. Trustees **agreed** to remove this as an Action Point unless separate discussion between Peter Pearson and Kevin Lelland suggested otherwise.

On the Trust's vulnerability to staff changes (Action Point 4 from the meeting on 26<sup>th</sup> March 2018), Andrew Bachell noted that the Staff Survey would be discussed under Item 15, and the Risk Register would be discussed at the December meeting of Trustees.

On membership of the Birthplace Trust (Action Point 3 from the meeting on 15<sup>th</sup> June 2018), Peter Pearson had established that John Thomas would continue as JMT representative and Trustees agreed that Duncan Macniven would act as the second representative after Rob Bushby's departure, until a suitable staff representative was identified.

Progress on the remaining Action Points, recorded in the paper, was **noted**.

#### **Item 5 – Suspension of land policies (Paper C)**

Mike Daniels noted that the Trust's policy on large scale events did not take account of the position at Glenridding and the increased use of Ben Nevis for events. There was the opportunity to use such events to raise the profile of the Trust and of the importance of protecting wild land. The wording of the fishing policy

did not take account of the statutory position in England. Proposed revisions of both policies would be put to the December meeting and in the meantime Trustees **agreed** the suspension of the current policies.

#### **Item 6 – Review of Policy on National Parks (Paper D)**

Helen McDade explained that the paper sought to codify the Trust’s attitude to National Parks and in particular the creation of new Parks. It suggested qualified support for new National Parks, with individual cases considered on their merits, with the case for a Park in the Cambrian Mountains being particularly strong. The paper highlighted the increasingly-popular concept of “natural capital” and the importance of citing landscape as a factor which Parks should safeguard. Peter Pearson added that the Trust had in the past not supported the national park concept in Scotland, because of the potential for conflict between wildness and the Scottish Parks’ economic development aim.

In discussion, Trustees:

- noted that it was odd for the Trust not to support the concept of national parks, when John Muir had played such a prominent role in the national park movement – but that his vision of a national park was very different from its interpretation in the UK;
- highlighted the ambiguity over who decided whether there was a conflict between development and conservation;
- welcomed the protection given to wild land in the National Parks, which was much greater than that applying to land outwith the Parks;
- favoured using the Trust’s limited resources for campaigns such as “Keep it Wild” (which sought extension to Scottish Wild Land Areas of the protection given by Park status) and the protection of existing wild areas, rather than diverting effort to campaigning for more Scottish Parks;
- advocated awaiting the conclusion of the review of English National Parks before taking a position on the issue there;
- noted that the pressure of visitor numbers could have a detrimental impact on the wildness of the National Parks – but that National Parks played a part in inspiring people’s love of wild land and that the Award played a part in doing so;
- believed in summary that the Trust should act in the way which best protected wild land.

Trustees **agreed** that:

- the Trust should continue to give qualified support for more National Parks, on a case by case basis, depending on how each proposal would contribute to wildness;
- the Trust should seek to influence all relevant government and National Park policies to get protecting and enhancing wildness recognised as an important attribute, included in management objectives;
- the Trust should seek to have “wildness” recognised as an environmental factor which could benefit from shifts of subsidy from agriculture to wider environmental conservation goals;
- the Trust should highlight the need for landscape to be valued in natural capital and ecosystems services accounting;
- a short Position Statement on the Trust’s policy on National Parks should be produced for staff and public.

#### **Item 7 – 2019 Corporate calendar (Paper E)**

Trustees **agreed** the schedule of meetings proposed in the paper, with the following modifications:

- the March meeting would be brought forward to 18 March, to allow more time to print and distribute the annual report and accounts;

- the AGM would be held on 24-25 May at the Birnam Centre, Dunkeld;
- the staff gathering (27-29 August) would be a week earlier than in 2018, to create a longer interval between it and the September meeting of Trustees;
- the December meeting might be held over two days (2-3 December).

Noting the unusually large number of apologies from Trustees at this and the previous meeting, Peter Pearson reinforced the importance of a full attendance at the 2019 meetings.

### **Item 8 – West Harris Trust Memorandum of Understanding (Paper F)**

Andrew Bachell reported that he had met members of the West Harris Trust board, as (on a separate occasion) had David Broom. It had been clear to them both that the Trust wished to renew its agreement with the JMT. That accorded with the longstanding JMT policy of assisting community organisations, which had been problematic after the staff reductions of 2015. It also fitted in with the views of Community Land Scotland, expressed recently to Andrew Bachell. Richard Williams spoke about his recent visit to Galston, on Lewis, where the very professional Trust similarly wished to renew the agreement with the JMT. The North Harris Trust was known to be similarly-minded: its agreement with the JMT would expire in 2019. Kevin Lelland drew Trustees' attention to the Spring 2019 edition of the Journal, which would focus on the JMT's work with communities. He hoped that local media would also cover the story.

Trustees warmly welcomed these contacts and **agreed** that the Chief Executive should finalise the Memorandum of Understanding with the West Harris Trust, subject to minor drafting suggestions. Andrew Bachell raised the possibility of a meeting between the JMT and the three Trusts, to which the local authority might also be invited: that too was welcomed.

### **Item 9 – Fundraising Committee**

John Fox-Davies spoke about the first meeting of the Fundraising Committee on 15 August. His email report to Trustees had generated comments, particularly about including on the Committee a member who had been unsuccessful at the election of Trustees in May. He made clear that membership of the Committee was different from trusteeship and did not carry a vote. At the AGM, a question had been raised about how the Trust was to have access to fundraising skills in the light of the non-election of a skilled candidate as a Trustee, and membership of the Committee was an important response. In discussion, Trustees **agreed** to the proposed inclusion of the member, subject to review at the June Trustees' meeting when all committee appointments were considered.

John Fox-Davies suggested that a complicated email chain could be avoided if a standing item were included at each Trustees' meeting to allow discussion of matters arising from committee meetings held in the interval, a report on which could be included in a paper. Trustees **agreed [Action Point 1]**.

### **Item 10 – Governance Review Update**

In the absence of Alan Dobie, Andrew Bachell reported that Colin Liddell, a charity lawyer based in Pitlochry, had been appointed to carry out the scoping exercise agreed at the last meeting. This would involve reviewing the Memorandum and Articles of Association, doing a health check on the financial guidance and making prioritised recommendations. The work was expected to be completed by the end of October and the outcome would be reported to Trustees in December. Trustees would then be able to decide on the scope of any further work, and consider who might carry it out. Trustees **noted** the report.

### **Item 11 – Corporate Strategy metrics (Papers G and Gi)**

Introducing the discussion, Peter Pearson said that the papers showed excellent progress. Andrew Bachell explained that the text of the Corporate Strategy had been slightly amended, including in the light of the discussion at the previous meeting, and the “Our Priorities” section now linked to the metrics in Paper G. The next step was to consider, as part of the new activity-based budgeting process, whether resources allowed the achievement of the measures/targets. The result would be reported to the December meeting of Trustees. During the period of the Strategy, he envisaged that reports would be made to Trustees on the achievement of the measures/targets, probably mediated through an annual Operating Plan.

Trustees made detailed comments but were impressed with progress and hoped that the budgeting exercise would go well. They also suggested that it was important for each member of staff to be able to identify with one or more of the measures and that more (but not necessarily all) targets could be SMART (especially time-bound).

### **Item 12 – Financial Update (Paper H)**

Kerry Ross summarised the paper as indicating that the financial position appeared satisfactory. She would consider whether to recommend to the December meeting the designation of funds to a specific purpose and invited Trustees to propose such purposes in advance of that meeting. Trustees **noted** the report.

### **Item 13 – Operational Update (Paper I)**

Amplifying the report, Andrew Bachell said that he and Alan McCombes had attended the launch of a report commissioned by Community Land Scotland on how best to empower local communities in relation to landscape. The report would be helpful as the Trust increased its interest in the views of local communities and he would circulate to Trustees a link to the summary [**Action Point 2**].

Mike Daniels spoke about progress with footpath projects (including the completion of a 6 year programme of work on Skye); work on Schiehallion; an application to the Rural Tourism Infrastructure Fund for an extended car park and toilets at Blaven; and consideration of what more the Trust could do, in collaboration with local communities, to help manage increasing tourism in north-west Scotland.

Helen McDade noted that the Planning (Scotland) Bill was reaching a crucial stage, with an amendment designed to give better safeguards for wild land likely to be considered by the relevant committee of the Scottish Parliament in October. Although the Scottish Government did not have a majority on the committee and opposition MSPs were supportive, it remained unlikely that the amendment would be passed. Nevertheless, the “Keep it Wild” campaign had already raised the profile of the issue. Helen was about to ask members to write to their MSPs about the Bill. Helen McDade also spoke about the Glenshero windfarm, near Stronelairg and between Wild Land Areas 19 and 20. An application was expected shortly, which staff would evaluate and decide what response should be made by the Trust. Trustees would be asked for views if it raised questions of policy.

Kevin Lelland reported that fundraising out-turn remained unpredictable but an excellent performance was being turned in by the new fundraising team. He had shown Trustees the previous evening two short JMT films about wild land, funded by VisitScotland, which he saw as part of the Trust’s work to promote “slow tourism”.

Speaking about the Award in the absence of Rob Bushby, Andrew Bachell said that 30,000 had been awarded in the year to date and the full-year target was likely to be exceeded. There remained a large funding gap in England for 2019 but the Award and fundraising teams were doing their utmost to raise the balance required. Meantime, the bridging finance earmarked by Trustees would ensure that the output was

undiminished. Applications for the new post of Welsh Language Manager, funded by Natural Resources Wales, had been satisfactory after the location of the post had been amended to allow home working: two candidates had been shortlisted and would be interviewed shortly. Temporary arrangements had been put in place for the period after Rob Bushby's departure. Andrew Bachell highlighted Rob's achievement in 17 years with the Trust – a groundbreaking expansion of the Award in all three countries was significantly due to his personal efforts. Trustees warmly agreed.

#### **Item 14 – Chairman's Report**

The report was **noted**.

#### **Item 15 – Staffing Update**

Kerry Ross reported the outline conclusions of the Staff Survey carried out in August. The previous Survey (in 2016) had been used as the basis, with adjustments (particularly to allow more free text to explain comments). Disappointingly, the response rate had fallen (from 70% to 60%), although the number of responses (32) was the same. Positive changes included questions about the Trust's delivery against its vision (up from 85% to 97%), the correct deployment of resources (47% to 75%) and the right training and workload (50% to 79%). On the negative side, respondents had a poorer opinion of the Management Team's leadership and of the effectiveness of cross-departmental working (albeit in the latter case returning to the previous level after a higher opinion in 2016). An action plan was in preparation which the HR Policy Committee would see in draft and which would be reported to Trustees in December. In discussion, Trustees underlined the importance of staff buy-in to the action plan.

The remainder of the discussion on the update is recorded in a confidential minute.

#### **Summary of Action Points**

- AP1** A standing item would be included at each Trustees' meeting to allow discussion of matters arising from committee meetings held in the interval, a report on which could be included in a paper.
- AP2** Trustees would be sent a link to the summary of the report commissioned by Community Land Scotland on how best to empower local communities in relation to landscape.

Duncan Macniven  
11<sup>th</sup> December 2018