



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 1 DECEMBER 2020**

**SUBJECT: FINDHORN BAY LOCAL NATURE RESERVE MANAGEMENT
COMMITTEE CONSTITUTION**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To seek approval of an updated Constitution for the Findhorn Bay Local Nature Reserve Management Committee.
- 1.2 This report is submitted to Committee in terms of Section III (F) (8) of the Council's Scheme of Administration relating Countryside Amenities.

2. RECOMMENDATION

- 2.1 **The Committee is asked to approve the new Constitution, set out in APPENDIX 2, for adoption by the Findhorn Bay Local Nature Reserve Management Committee.**

3. BACKGROUND

- 3.1 Since its designation by Moray Council in September 1998, management of the Findhorn Bay Local Nature Reserve has been entrusted to a community based Management Committee comprising locally based business interests and various elements of the community together with interested bodies such as Scottish Natural Heritage (due to rebrand as NatureScot in May) and the Royal Society for the Protection of Birds.
- 3.2 Moray Council is currently represented by Councillor Feaver and the Environmental Protection Manager.
- 3.3 The current constitution has been in place since October 2012, but during this time there have been a number of changes of representatives on the Committee. There have also been changes to Moray Council's structure, all of which require to be reflected.
- 3.4 In terms of the constitution any changes agreed by the Management Committee then require approval by the Council.

3.4.1 **APPENDIX 1** is the current constitution agreed in 2012. **APPENDIX 2** is the proposed constitution. The changes proposed by the Findhorn Bay Local Nature Reserve management committee are relatively minor but necessary. The most significant of the proposed changes are :

- Section 1.4 (1) – Vice Chairperson to be nominated at the AGM by a committee member and seconded by another committee member, in keeping with the procedure for Chairperson.
- Section 1.4(4) – Findhorn & Kinloss Community Council – reduce representatives to one (voting), to reflect attendance since 2016. British Association for Shooting and Conservation (Scotland) & Forres, Nairn & District Wildflowers Association changed to one voting representative each. Friends of Findhorn Bay & Forres Community Council representatives added following respective appointments in 2016.
- Section 1.6 (e) – Secretary added to the list of bank account signatories.
- Section 1.7 – Meetings will meet no less than two times per year (previously this was a minimum of four times per year). This reflects the ability to circulate information more readily in the modern era. Notification of meetings is also amended to reflect the use of the FBNLR website. Also removed is the five day notice of an emergency meeting. In such cases if the need arose, it would be managed accordingly.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report was informed by Moray 10 Year Plan Local Outcomes Improvement Plan and provides support to enable the following priority to be delivered: Empowering and connecting communities. It also enables the following Corporate Plan 2024 priority to be delivered – Our Place: Empower and support communities to build capacity, as well as Our Future: Drive economic development to create a vibrant economy for the future. It also reflects the aims of the Community Empowerment Scotland Act (2015).

(b) Policy and Legal

The Council's Legal Section has been involved in the production of the new constitution.

(c) Financial implications

There are no financial implications associated with this report.

(d) Risk Implications

There are no risk implications associated with this report.

(e) Staffing Implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications associated with this report.

(g) Equalities/Socio Economic Impact

There are no equality issues associated with this report.

(h) Consultations

Depute Chief Executive (Economy, Environment and Finance); Head of Environmental and Commercial Services; Kathryn MacPherson, Senior Solicitor; Lissa Rowan, Committee Services Officer; Secretary, Findhorn Bay Local Nature Reserve Committee have all been consulted and their comments integrated into the report.

5. CONCLUSION

5.1 The current constitution has been in place since October 2012. The proposed changes to the constitution reflect the current position and needs of the Findhorn Bay Local Nature Reserve Management Committee and the recent Moray Council restructuring

Author of Report: Colin Bell, Environmental Protection Manager
Background Papers:
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