



FORESTRY COMMISSION

Buchan Forest District

Ordiquhill Portsoy Road Huntly Aberdeenshire AB5 4SJ

Telephone Huntly (0466) 4161 Ext 213

Please address any reply to
The Area Land Agent

Your reference

Our reference L 14/BCN/1

Date

Dear Sir

BUCHAN FOREST DISTRICT
THE BAILLIES OF BENNACHIE

Although the existing arrangements for consultation, etc, between the Baillies and the Forestry Commission have operated satisfactorily in the past, I am concerned that the position could be uncertain in the event of eg an accident, etc, to a member of the public on Commission land and where the Baillies may have had some involvement. I propose, therefore, that for the sake of all parties it is desirable that a somewhat more formal arrangement should be made, and suggest the following terms:-

1. That the Baillies of Bennachie ("the Baillies") shall not execute on Forestry Commission ("the Commission") land any works nor carry out any activities, other than those enjoyable by the public at large, without the prior consent in writing of the Commission's Forest District Manager
2. The Baillies undertake to observe all terms and conditions, relative to any specific activity or to construction or other works (including maintenance of existing works), required by the Commission.

3. The Baillies shall take out an insurance policy at their own expense, with effect from the date of commencement of this agreement, with an insurance company of good repute covering all their officers and members against claims by the Commission, its officers and employees for not less than £500,000 in respect of any claim in respect of death or injury to any person or loss of or damage to property caused by accident or negligence arising out of works or activities of the Baillies officers and members, but providing that the amount of such insurance shall not in any way limit the liability of the Baillies. The Baillies shall ensure that all persons, not being officers or members, exercising permissions granted by the Commission to the Baillies are themselves likewise insured.
4. This agreement shall date from
5. In the event of the Baillies being in breach of these terms, or of any terms or conditions imposed in respect of any specific works or activity, the Commission may terminate the agreement forthwith, without prejudice to any claim it may have against the Baillies.
6. Either party may terminate this agreement on giving to the other party not less than 73 months' notice in writing.

FORESTRY COMMISSION

with compliments

Hope your health steadily improving.

Sincerely
Ron Marnie

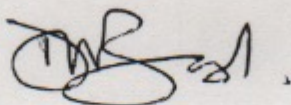
Mr H C Cooke, ALA(E)
✓ Mr R J R Marnie, FDM Buchan
D2/BCN/GEN(Sub)
LI4/BCN/I

BUCHAN FOREST DISTRICT
THE BAILLIES OF BENNACHIE

I refer to the draft agreement for the above that was sent to this office on 10 August 1987. The amendments made by the Conservator and CLA are as follows:

- No 1. Line 3 - Delete the words "other than those enjoyable by the public at large".
 Line 4 - Delete "Conservator" from the options.
 Line 5 - Delete "or Forest District Manager".
- No 2. Line 3 - Delete "reasonably".

Can you please discuss this with the Baillies. It should not be sent to them for signature.



Mrs D M Boyd
Estates Section
for Conservator

1 September 1987