

**MINUTE of the THIRD MEETING of the
CNPA ACCESS WORKING GROUP
Held at the Duke of Gordon Hotel, Kingussie
On 13 February 2004 at 9.00 am**

Present:

Joyce Simpson (Chair)
Alastair Maclennan
Stewart Black
Bob Severn
Richard Stroud
Willie McKenna

In attendance :

Murray Ferguson, Head of Visitor Services & Recreation
Kristin Scott, Senior Access Officer

Summary of Action Points:

- a) Obtain copies of the supplementary report (Report 3) on the *Implementation of the Access Legislation : Issues Raised During the Consultation on the Draft Scottish Outdoor Access Code* and circulate to members. **Action : KS**
- b) Check that the comments made in the CNPA submission to the original SOAC consultation, have been incorporated into the *proposed* SOAC and brief members. **Action : KS**
- c) Establish links with access staff in Perth & Kinross Council and amend 'options' paper to include an update on their thinking in terms of establishing one or more LAF. **Action : MF/KS**
- d) Make contact with THC (and Aberdeenshire Council) to discuss from both practical and legal viewpoint, the matter of LAF and 'residual areas'. **Action : KS**
- e) Send letters to both the *Paths for All Partnership* and *Scottish Natural Heritage* inviting them to assist the AWG with developing the CNPA's thinking for establishing one or more LAF. **Action : KS**
- e) Draft a proposals paper, setting out the main objectives of the 'Workshop' approach for establishing Local Access Forum(s). **Action KS**

APOLOGIES, MINUTES OF LAST MEETING & MATTERS ARISING

Action

1. The third meeting of the Access Working Group (AWG) was held at the Duke of Gordon Hotel, Kingussie on 13 February 2004. All members were present. The newly appointed Head of Visitor Services & Recreation, Murray Ferguson, was

welcomed to the meeting. The minutes of the previous meeting were approved and there were no matters arising.

Access Staffing Update

2. The AWG was given an oral update on current recruitment to the Visitor Services & Recreation Group. Interviews are being held in the week beginning 16 February for an Access Officer and a short term contract Project Officer to hold develop a proposal for extending the Speyside Way Long Distance Route. The latter post will be managed on a day to day basis by the Senior Access Officer, while the project will be directed by the partners of the Speyside Way Management Group (Moray Council, Highland Council, SNH and CNPA). In addition to the Access Officer post, a sift of applicants for the Visitor Services Officer post has been carried out and interviews for that will take place on 24 February.

SOAC & Section 27 Guidance

3. The AWG was given an oral update on the *proposed* Scottish Outdoor Access Code (SOAC) and the forthcoming guidance (under Section 27 of the Act) from the Scottish Executive for access authorities on how to perform their statutory duties under the access legislation. Copies of the proposed Code were provided for members, together with a summary of the consultation process and analysis of responses. Members were also advised of other reports produced by SNH which provide detail of the consultation exercise, how it was evaluated and an analysis of the representations made. The AWG was particularly keen to obtain a copy of Report 3, which draws out the issues that relate to implementation of the access legislation that were identified in the analysis of responses to the SOAC consultation. The Group agreed to discuss the *proposed* Code at the next meeting in light of the representation made by the Park Authority to the consultation, and also to consider some of the implications of the access legislation (for the Park Authority) highlighted in Report 3.

KS**KS**

Options Paper

4. A discussion paper on options for establishing one or more Local Access Forum had been circulated previously. This formed the focus of the meeting and there was a wide ranging discussion on some of the ideas put forward in the paper and issues arising. The following is a summary of the key points to emerge :
 - a) It was suggested that contact should also be made and maintained with relevant access staff in Perth & Kinross, as well as with the four constituent Local Authorities. The paper recommended close liaison with the Local Authorities to ensure ‘seamless delivery’ of access functions beyond the Park boundary, including in the establishment of Local Access Forums. This applies equally to the boundary with Perth & Kinross and, although not one of the constituent Local Authorities, there is as much need to be aware of their thinking and to share our ideas with them. The AWG recognised the need for this liaison with the Local Authorities and supported making contact with Perth & Kinross Council.

MF/KS

- b) There was a query over the duration of tenure of membership in any Local Access Forum. It was expected that guidance on this sort of detail would probably be contained within the Section 27 Guidance. That said, members felt that tenure probably ought to be of relatively short duration in the first year or two to provide scope for adjustment if necessary. **Action**
- c) It was noted that a large portion of Badenoch & Strathspey falls within the Park and, given the Highland Council's current thinking of developing a two-tier LAF structure, (based on existing administrative units), this effectively leaves a residual portion of the Badenoch & Strathspey Area outwith the Park LAF structure. It was suggested that contact is made with THC to discuss this and to ascertain how the situation might be managed, in both practical terms and also in the context of the legal function of access authorities. (A similar situation applies in Aberdeenshire although the percentage of 'residual' Local Authority Area is not nearly as small). **KS**
- d) Members agreed that it would be of great benefit to invite staff with relevant expertise from both the *Paths for All Partnership* and *Scottish Natural Heritage* onto the AWG to assist in the short term with developing the CNPA's thinking for establishing one or more LAF. Members asked that letters be sent to these two organisations as a matter of priority. There was also discussion over the merits of inviting staff from the Local Authorities onto the Group but it was generally agreed that this would not be necessary provided that close liaison was maintained with relevant Local Authority staff. This could be done at officer level and also by copying minutes of meetings, discussion papers, etc. **KS**
- e) Whether or not to invite somebody who could represent disabled access was discussed. It was generally felt that the Group should focus on the process of planning delivery of the duties arising from the access legislation, and at this early stage in developmental thinking, the Paths for All Partnership would be able to provide sufficient input and guidance on disabled access.
- f) In terms of the recommendations, members supported the general concept of holding Workshops as a first step. The main objective of the workshops would be to raise the general level of awareness and understanding of the Land Reform Act, and more specifically to raise awareness of the role and function of a LAF. Workshops would also serve to gauge the level of interest within the Park in membership of a LAF, both locally and nationally.
- g) It was felt however that to utilise a "conference" to formally establish a LAF (i.e. to elect members) was not the best approach. There was concern that to try to establish membership of a LAF at one event on one day could potentially result in skewed representation, with the more vociferous elements dominating the event. The main purpose of a conference would be to build on the Workshops, which will by then have identified the interest that needs to be represented, and agree a mechanism for electing representation.
- h) Members asked for a proposals paper to be drafted for the next meeting, setting out the steps that would require to be undertaken to reach a stage where the CNPA could form the LAF (including for example proposals for the 'Workshops' and **KS**

'Conference' and how they might be arranged and facilitated throughout the National Park.)

Action

AOCB

5. Joyce Simpson advised the AWG of a forthcoming meeting of the Board of Directors of the Paths for All Partnership to be held somewhere within the Cairngorms National Park (venue to be confirmed). Robert Maund, Chairman of the PfA Partnership had written to Andrew Thin expressing interest in meeting with CNPA Board members. The meeting is scheduled for 23 June.

Date and time of next meeting

6. To enable more time for fuller discussion, the date and time of the next meeting of the AWG was scheduled for **26 March at Carrbridge** (planning committee meeting) at 2.00 pm. On the agenda for the next meeting will be the *proposed* Scottish Outdoor Access Code; the Section 27 Guidance; a proposals paper on Local Access Forum Workshops.