

Cairngorms Local Outdoor Access Forum

MINUTES OF THE TWENTY SIXTH MEETING George Beaton Room, Albert Hall, Ballater

Tuesday 9th November 2010

Summary of Action points arising from meeting

- API- AQSS to invite access staff from Perth and Kinross Council to the February meeting**
AP2- AQSS to invite Dougie Baird to give an update on COAT's work at the February meeting
AP3- To carry AP4 of last meeting- Anne Gray agreed to provide an update on the pilot in 6 months time.
AP4- FP to speak to BHS Regional Development Officer about dealing with access casework.
AP5- FP to present a paper on prioritising casework at a suitable LOAF meeting.
AP6- FP to investigate if Sustrans route at Crubenmore is closed.
AP7- AQSS to present a paper updating the LOAF on camping issues in Glenmore and Clunieside
AP8- Paul to write to the RSPB highlighting the Forums concerns and inviting them to submit a paper to the next meeting.

Forum members in attendance

Paul Corrigan (Convener)	Bob Kinnaird
John Grierson	Roger Searle
Peter Holden	Debbie Greene
Nic Bullivant	Catriona Rowan
Hebe Carus	Richard Wallace

Others in attendance:	
Bob Grant, CNPA	Joyce Lyle, AoCC
Fran Potheary, CNPA	Richard Cooke, NAF Chair
Adam Streeter-Smith, CNPA	

Item I – Welcome

- I. The Convener thanked Forum members for coming especially as it was the first of the earlier winter meetings. He welcomed Richard Cooke the Chair of the NAF and factor at Dalhousie Estates as well as members of the public. He also highlighted that staff from Perth and Kinross Council had been invited but had unfortunately had to pull out and he expressed a keenness that they be invited to the next meeting given that the Park boundary and remit of the LOAF had extended into Highland Perthshire.

API- AQSS to invite access staff from Perth and Kinross Council to the February meeting

2. The Convener thanked Hebe Carus for suggesting that COAT present an update on their work at the meeting but felt that given COAT had only just embarked on some new areas of work then it would be prudent to invite them to speak at the February meeting.

AP2- AQSS to invite Dougie Baird to give an update on COAT’s work at the February meeting

3. The Convener also highlighted that a lot of other work has been happening since the last meeting such as the NAF/LAF liaison meeting, the Outdoor Access Events Open Meeting and the Global Change Mountain Conference to name a few. He drew member’s attention to the Park Plan progress reports as well as the developing Sustainable Tourism Strategy which he urged members to read.

Item 2 - Apologies

Dave Craig	Thomas MacDonell
Jeremy Usher Smith	Simon Blackett (Vice Convener)
Rachel Bromby	Fiona McInally, PFAP
Katrina Brown, Macaulay Institute	Andrew Dunn

Item 3 - Minutes of the last meeting – approval and matters arising not otherwise appearing on the agenda.

4. The minutes were agreed.

Action points arising from the last meeting

- API – Discharged
- AP2 – Discharged
- AP3 – Discharged
- AP4 – Carried forward to the February or May meeting
- AP5 – Discharged-

Item 4 – National Access Forum/Local Access Forum liaison meeting

5. The Convener introduced this item highlighting that he and Adam had attended the NAF/LAF liaison meeting on the 13th of October and had been heartened by the enthusiasm of all and also by how well in comparison to other LAFS the CLOAF operates. What was illustrated strongly was the fact that the work of any LAF doesn’t stop once the Core Paths Plan is adopted and that implementation remains the key action to success.

6. He was also pleased to see how key pieces of work delivered by the LOAF had been taken up nationally; the Guidance on Outdoor Access Events being a good example.

Item 5- A perspective from the National Access Forum chair and a land manager in the National Park

7. Richard Cooke introduced his presentation by firstly commending the LOAF on its enthusiasm and the exemplary work it has done. In his view the Cairngorms LOAF is a leader in respect of how they should be run and what they can deliver.
8. From a personal perspective he has been involved in outdoor access for many years as an estate factor but also as the Deer Management Group representative on both the original pre legislation Access Forum and the National Access Forum. Reflecting on such a long involvement ,he was very positive about how far everybody had come and how many of the earlier fears have been dealt with or have never come to fruition.
9. The National Access Forum is made up of 25 sitting members and 70 corresponding members. Richard highlighted that the NAF wasn't a quango, had no authority or powers (and no statutory function like the LOAF). The NAF is a body set up by SNH to advise on national access matters. Its overarching aims are to:
 - To facilitate responsible enjoyment of the outdoors;
 - To encourage responsible management of land and water in relation to access;
 - To ensure that the reasonable needs of privacy, safety and conservation are safeguarded.
10. From his perspective he sees the task of the NAF is to clarify roles in the access sector, consistency and co-ordination and to develop an effective LAF network.
11. The perspective as a land manager in the National Park is that Dalhousie Estates has always been tolerant of access, has worked hard with communities in and around Edzell to develop path networks and has worked hard to educate the public about stalking and shooting at Invermark. Since the Act he has experienced a change in attitude, increasing numbers and types of access and the need to develop compliant signage.
12. For the future as both the NAF chair and a land manager he sees issues such as competing access and curtilage coming to the fore and to resolve this there needs to be more public education, a culture of responsibility and a bit of give and take in terms of sharing access. He would be keen for the "countryside watch" operation to be revived which would see greater police and estate staff collaboration on criminal and anti-social activities. He was very supportive of the Heading for the Scottish Hill Website and urged others to support it.

13. The discussion that followed focused firstly on if he saw the need for better ranger coverage in Glen Mark to develop visitor management programmes to tackle these issues. For his perspective he felt that the level of visitors didn't justify employing ranger staff. Secondly as the NAF chair did he see a role for the NAF to ensure that cross boundary core path issues are managed? Reiterating comments earlier he said that respective LAF's had the greater role here.

Item 6- Addressing the needs of horse riders

14. Fran introduced this discussion highlighting that whilst the Park Authority had had a fairly good track record of dealing with access issues they are having less success at dealing with those issues raised by horse riders especially in the more remote locations. To assess why estates seem reluctant to address these issues Fran wrote to twelve estates to ask them what their primary concerns were. From the estate perspective the number one issue was deer management, especially around forestry. The second issue was illegal access for example motor bikes and the third issue was concerns about damage to paths and tracks.

15. Presenting examples of the various issues Fran posed a number of questions to the meeting to prompt discussion for example "how far should we go in pursuing access issues" and "what is acceptable access for horse –riders?"

16. The Convener highlighted that horse issues are a challenge because they can move between high and low priority and that we mustn't forget that dealing with horse issues does also address the needs of others. Others also highlighted that issue of inter-user conflicts may also develop and that for users in these situations defining what is responsible is going to be a challenge.

17. Those representing horse riders on the Forum expressed a degree of sympathy with the needs of land managers and, as a matter of course, assessed routes before embarking on a ride. What concerned them most was that regardless, of what system was in place be it a gate or a key, there are a small number of land managers who disregard their wishes. This was unacceptable even if long distance riding is a minority activity. They had no difficulty with gates being secured provided there was a means to open them. The new Heading for the Hill website would be an ideal channel of communication for this.

18. There was broad support for the way in which casework is prioritised and dealt with to take into account these needs and realities. A suggestion was made that the British Horse Society may be a useful source of advice.

AP4- FP to speak to BHS access officers about dealing with access casework.

AP5- FP to present a paper on prioritising casework at a suitable LOAF meeting.

Item 7- Outdoor Access Casework

19. Fran introduced this item highlighting that a lot of cases had been closed and that a record low in live cases had been achieved. She then went on to illustrate some of the new cases and the actions carried out to close a number of cases.
20. Queries were raised regarding the case at Loch Insh with members highlighting the sensitivity of the issue within the community. Members also reported that the Sustrans route had been closed at Crubenmore and wanted to know if it had been raised as an issue.

AP6- FP to investigate if Sustrans route at Crubenmore is closed.

Item 8- Update and forward look

21. A number of items from this paper were raised and discussed at the meeting. Bob highlighted first the ongoing development of the Speyside Way Extension reiterating that with the sustained objection to the path order notice by Kinrara Estate an Inquiry is to be held. This has been further complicated by an objection by Network Rail to the use of the underpass just south of Aviemore on the grounds of potential flooding. Being the first Inquiry into such as notice the guidance is untested and there are still key questions about what should be included in the evidence to the Reporter.
22. Bob also highlighted that MacDonald's Aviemore Highland Resort (MAHR) had been contacted given that they had issued a press release some time ago indicating their wish to remove the Tesco fence and that the route was now a core path. CNPA offered to pay for the removal of the fence but this was declined. The CNPA is disappointed that MAHR seem reluctant to remove the fence and would hope that it is removed once the Section 75 agreement for the redevelopment of the site is signed.
23. Updating the Forum on the ongoing work to support the management of the informal camping issues at Clunieside Bob informed all that a contract was to be let shortly which will explore whether there is a business case for a new, less formal site with appropriate facilities in the Braemar area. Bob also informed the Forum that we would be reporting back on the measures and monitoring undertaken this year to tackle the issue at Clunieside and Glenmore.

AP7- AQSS to present a paper updating the LOAF on camping issues in Glenmore and Clunieside

24. Bob also highlighted that discussions were ongoing to try and find a mutually agreeable solution to the hosting of the Aviemore Half Marathon. The CNPA in the past had offered to broker the meeting but this is now been taken forward by the Cairngorms Business Partnership.
25. Bob also highlighted that the RSPB had sought a reassurance in the development of the current Wildlife and Environment Bill which would either retain the existing provision or provide a suitable alternative to the powers that exist through the designation of an Area of Special Protection (ASP) at Loch Garten. This designation makes it an offence to physically be on land within the

designation regardless of behaviour during a set period. Both SNH and the CNPA have written to the Rural Affairs and Environment Committee indicating that existing legislation and the very good site management that already takes place at Loch Garten, provides appropriate protection for the site. It had been hoped that RSPB would either attend or submit a paper seeking advice from the forum on the matter.

26. Members of the Forum expressed their disappointment that the RSPB had not sought their advice and questioned that if there was such an issue on the site why hadn't it been raised before and why were similar ASP's not in place in the likes of Loch Insh? There was strong support for the Convener to write to RSPB to invite them to the next meeting.

AP8- Paul to write to the RSPB highlighting the Forums concerns and inviting them to submit a paper to the next meeting.

27. Adam highlighted that the Biennial Report is due out in the New Year and that one idea was that outgoing members write short testimonials about their experiences. This was roundly supported.
28. Likewise Adam also highlighted that the February meeting would be the last for some members and that recruitment would be starting shortly. He asked all present to let him know that if they wished to stand down they must do so in writing before the end of February so that their seats can be included in the recruitment.

Date of next meeting

29. **Tuesday 8th of February 2011, Tomintoul at 16:30**