

Cairngorms Local Outdoor Access Forum

MINUTES OF THE TWENTY FOURTH MEETING Village Hall, Tomintoul

Tuesday 11th May 2010

Summary of Action points arising from meeting

API- AQSS to redraft Operating Principles (now Procedures) and incorporate the communications plan. The new Operating Procedures will be presented at the August meeting.

AP2- FP to contact Aberdeenshire Council for an update on the Deeside Way crossing.

AP3- FP to amend the casework spreadsheet to include dates of recent correspondence with complainants.

AP4- AQSS/FP to amend casework protocols to include a step of updating the complainants of progress.

AP5- Paul Corrigan to write to Mark Hagger outlining the Forum's advice and position.

Forum members in attendance

Paul Corrigan (Convener)	Bob Kinnaird
Simon Blackett (Vice Convener)	Thomas MacDonell
Juliet Allam	Malcolm MacIntyre
Nic Bullivant	Roger Searle
Hebe Carus	Jeremy Usher Smith
Andrew Dunn	Paddy Wright

Others in attendance:

Bob Grant, CNPA

Murray Ferguson, CNPA

Fran Potheary, CNPA

Adam Streeter-Smith, CNPA

Liz Dinne, Macaulay Institute

Sue Morris, Macaulay Institute

Item 1 – Welcome

1. Paul Corrigan, the Convener welcomed Liz Dinne and Sue Morris of the Macaulay Institute, and reminded the meeting that the Macaulay staff record meetings for research purposes.
2. The Convener reminded members that he had not attended a Forum meeting since August last year and reiterated that he alone was responsible for the decision to cancel the meeting in November on the advice of the Park Authority.

He thanked the Vice Convener for chairing the last meeting in February at such notice.

3. He reflected that the February agenda had been very full as a result which had resulted in some difficulties at the time and subsequent to that meeting the opportunity had been taken to collate the views of members. These views were taken to a meeting of the Convenor, Vice Convenor and Park Authority staff. The priority action arising from that meeting was to present a paper on the Operating Principles to this meeting.
4. There was concern raised by members that the Forum's view had been inaccurately represented in the Strathspey Herald. An article gave the impression that the Park Authority had sought advice from the Forum on the use of bylaws to tackle informal camping issues. This assumption had been corrected by way of a letter but there was a feeling that the ensuing correspondence in the letters page had the capacity to undermine the Forum.
5. The Convener read out a letter to the Forum from David Green, the Convenor of the Park Authority thanking them for all their hard work in helping develop the Core Paths Plan.
6. As this was Paddy Wright's last meeting the Convenor put on record his thanks for his wise counsel over the last 5 years. These sentiments were endorsed by all present.

Item 3- Apologies

Dave Craig
John Grierson
Debbie Greene
Peter Holden
Joyce Lyle
Catriona Rowan
Fiona McNally

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

7. The minutes were agreed with the following minor changes:
 - Ensure consistency of use of the title Vice Convener;
 - Change Lyell to Lyle;
 - Minor edit in paragraph 19- last sentence reads “for leaflets for”.

Action points arising from the last meeting

AP1 – Discharged- covered in paper 5.

AP2 – Discharged- covered in paper 5.

AP3 – Discharged

AP4 – Discharged – reviewed and will amend accordingly.

AP5 – Discharged

AP6 – Discharged – discussions underway.

AP7 – Discharged

AP8 – Discharged – covered in paper 5.

Item 4 – Review of operating principles

8. AQSS introduced this item highlighting that the Operating Principles (OP) are the bedrock of the Forum ensuring that it runs smoothly and stays within its remit to advise on the exercise of access rights and promote discussion and awareness of outdoor access matters. He highlighted that it was timely for the Forum to revisit the OP because there had not been a review since March 2007; there had been significant changes to Forum membership and that members had raised concerns about the operation of the Forum after the meeting in February. The key items for discussion were the need to ensure there is a regular review of the Forum; that the OP are clear about the conduct of members particularly in relation to declaring interests, and that the OP clearly sets out the responsibility of the Convener and Vice Convener for the agenda.

The following changes were agreed:

- Consideration should be given to reviewing the Forum every 2 years. The review will take the form of an agenda item and discussion
- The Operating Principles will be renamed Operating Procedures
- The Communication Plan would be combined with the OPs
- All press communication will be approved by the Convener
- Members are required to declare an interest in an item at the point at which the item is raised
- Section 2b – the Forum will have a remit to review the CPP
- Section 2c – the Forum will have a remit to review the OAS
- Section 3b – Members can stand for up to, but not exceeding, 6 years
- Section 3c – Members are appointed for a three year term initially which can be extended for up to 6 years
- Section 3d - Members who have held posts for 6 years can re-apply after one year
- Section 4a - Meetings will be held no less than 4 times a year and any cancelled meeting will be re-scheduled
- Section 4d – remove

API- AQSS to redraft Operating Principles (now Procedures) and incorporate the communications plan. The new Operating Procedures will be presented at the August meeting.

Item 5 – Responsible promotion of outdoor access

9. FP introduced this paper highlighting that there had been a significant gap since the Forum last commented on this subject. In the intervening period the Park Authority have had constructive discussions with outdoor activity providers. The main development was that the draft policy had now become

guidance. The principle audience for this guidance are those engaged in “active promotion” i.e. information intended to encourage use. The new guidance is much more rooted in the relevant Outdoor Access Strategy policy which relates to visitor information and the Scottish Outdoor Access Code. The emphasis in the document is more positive in highlighting what good “promotion” looks like. Members agreed that the guidance should be concise and commented that the overall tone and tenet was about right. Throughout the discussion, FP introduced the ideas suggested by SNH in their absence.

10. Using the term “active promotion” helps to underline that we are mainly concerned with this type of marketing as opposed to peer-to-peer sharing of information and descriptions. There was a suggestion that blogs should be specifically included in the guidance. However it was indicated that the guidance is more concerned with ‘intention’ than ‘mechanism’ i.e. aimed at those who are promoting or marketing recreational opportunities in order to increase business or participation, as opposed to whether it is via book, website, chat Forum etc. Blogs could be included in the scope of this so there is no need to expand to include specific reference to them.
11. There was a comment that it could be difficult for promoters to establish exactly who to contact where there are multiple interests over an area – for example, a Natura designated site might need contact with SNH as well as the land owner.
12. The use of the term “business” in the draft guidance was queried because many individuals and organisations promoting activities don’t see themselves as businesses and as such would not view this as being relevant to them. It was pointed out that the use of the word in the guidance relates specifically to the wording of para 3.63 of the Code entitled “Running a Business”. Members also drew attention to safety concerns especially in the mountains.
13. It was agreed that the guidance should include reference to “minimising impact on other users” and keeping information up to date and it was agreed to include a sentence explaining the link between SOAC and this guidance.
14. It was agreed that it was not the role of the CNPA to proactively ‘police’ blogs and websites
15. There was a proposal for an annex that lists situations which might require land manager consultation, or state how different recreational activities might cause damage etc at different times of the year. However it was felt that there was a risk here that the guidance would end up replicating the Code; that it was best to keep it short and snappy and to “sign post” the promoters onto other sources of information – the Code, and activity guidance – to incorporate into the information they are promulgating, depending on their audience etc. This guidance should be about the *responsible promotion* of access, rather than the *responsible exercise* of access rights.

16. The Forum noted that the wording in bullet point was currently clumsy and it was agreed that this should be appropriately re-worded. With the further changes suggested, the Forum was content that the revised guidance addresses the issues arising from the previous consultation.

Item 6 – Options for a biannual event

17. AQSS stated that the biannual events are an ideal way to involve the public in the work of the Forum and to promote its achievements. He highlighted that so far two formats have been tried, both on weekend days - firstly a formal meeting with presentations and secondly, a more activity based day with a key note speaker. The challenge of holding any such event is balancing the need to promote the work of the Forum while still making the event attractive. If the event is too formal it puts the public off but if it is too informal it is difficult to relate the topics to the work of the Forum. It was also noted that the numbers of public attending the two previous events had been disappointing.
18. There was some discussion on whether or not there was need to raise the profile of the Forum at all events using banners or advertising. Overall members supported the options where the biannual event is combined with another and is based around one or two topics. Some members expressed the view that the event should be targeted at a particular audience for example youth or those living in one part of the Park.
19. The Convener sought volunteers to help develop a proposal and take it forward. Bob Kinnaird, Nic Bullivant and Paul Corrigan volunteered to help develop the event.

Item 7 – Outdoor Access Casework

20. FP highlighted the change in format and provided a short overview on some of the recent cases and successes of closed cases.
21. Members expressed concern about public safety on the road crossing of the Deeside Way west of Ballater. FP informed members that Aberdeenshire Council Roads department are aware of the issue and that signage and bollards are to be installed. Due to the nature of the road and the regular snow ploughing rumble strips would not last so have been discounted. Members suggested that markings on the road could be used to highlight the public crossing ahead.
22. Members raised the issue of how complainants are kept up to date on the progress of cases that they had raised. FP agreed to update the casework protocol to reflect that complainants would get periodic update of progress. Members requested that the casework spreadsheet should have an additional column to record when the complainant was last contacted.
23. BG introduced the second part of the paper which included a series of questions posed to the Forum by Mark Hagger. His questions focused on

how the Forum would **ensure** that access would be maintained for the public on two paths on Balmoral Estate given that the paths in question were not included in the Core Paths Plan. BG reminded the Forum that the two paths had not been part of the Draft Core Paths Plan and that Mark Hager had objected to their exclusion. The Reporter to the Public Inquiry had considered that these paths should be included in the Plan but due to security concerns left it for the Scottish Government to decide. Ministers had considered the Reporters advice and that of the Home Office and had decided that the Plan would be **sufficient** without them. The Park Authority had been instructed to adopt the Plan and this was done at the Board meeting in March this year.. BG advised that access was not obstructed at the two sites and that access rights still applied. Given the Forum's advisory role it was not the Forum's responsibility to "ensure access can be taken" or to "establish alternative routes". With regards to Section 11 orders, these are issued by the Park Authority or Scottish Government and the Estate has not sought one for any events. BG also advised the Forum that the Park Authority has not received any other complaints from the public regarding access to these two paths.

24. Members were content that the Forum's advice was limited in this case, were aware that there were valid security concerns and that to date the Estate had managed public expectations appropriately.

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Item 8 - Update and forward look

25. AQSS introduced this paper and highlighted the following points:

- The Core Paths Plan was still with the publishers but should be ready by the end of May,
- The CNPA had produced guidance for land managers on signs for dog walkers in the bird breeding season and this was circulated at the meeting;
- The CNPA had hosted an informal camping seminar for site managers and the next steps were to develop site based visitor management plans with relevant land managers; and
- The Sustainable Tourism Forum was meeting for the first time on the 13th May to develop the Sustainable Tourism Strategy.

Item 9 – Ideas for future meetings

26. Two topics proposed for the August meeting were a paper on the role of rangers in the National Park and a presentation of the development of the new Hill Phones website.
27. AQSS reminded members that one of the proposals for the next informal site visit was for a trip on the Spey and that he would be writing out soon with an outline for the day.

Date of next meeting

28. **Tuesday 17th August 2010, Strathspey.**