

## **Cairngorms Local Outdoor Access Forum**

### **MINUTES OF THE FORTY THIRD MEETING CNPA, GRANTOWN**

**Tuesday 12<sup>th</sup> May 2015**

#### **Summary of Action points arising from meeting**

- API - EB to contact CNPA board re representation at LOAF**
- AP2 - DClyne to re-look at the use of Core Mountain Areas Versus Wild Land**
- AP3 - AQSS to prepare a paper for the Forum on Ranger Support**
- AP4 - DS to amend the Operating Procedures of the Forum to reflect the changes to the CLOAF programme as agreed below**
- AP5 - DClyne to look into the missed consultation response from Aviemore CC on Active Cairngorms**
- AP6 - EB to write to Hutton in support of KB's work on behalf of the Forum**

#### **Item 1 – Welcome**

EB welcomed everyone to the meeting.

#### **Forum members in attendance:**

Eric Baird (Convener)	Paul Webster
John Grierson	Vicky Hilton
Nigel Williams	Nick Cole
Katrina Brown	Ruaridh Ormiston
Alasdair Johnston	

#### **Others in attendance:**

Doug Stewart, CNPA	David Clyne, CNPA
Justin Prigmore, CNPA	
Jane Richardson, CNPA (minutes)	
Eilidh Scobbie	Potential member / observer
Ann-Marie Nuttall	Potential member / observer

#### **Item 2 - Apologies**

Peter Mackay	Richard Gledson
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#### **Item 3 – Ratify changes to CLOAF programme for 2015**

The Forum ratified the following changes to the CLOAF programme:

- Reduce the amount of meetings per year from 4 to 3;
- Reduce the number of CLOAF Members from 19 to 15.

Further to a suggestion to move the August meeting (due to the holiday period) it was agreed to keep the August meeting for 2015 and to take this into consideration for 2016.

**AP4 - DS to amend the Operating Procedures of the Forum to reflect these changes.**

#### **Item 4 - Minutes of the last meeting – approval and matters arising not otherwise appearing on the agenda.**

The minutes were agreed with 1 amendment:

- Page 1, Item 2: Nick Cole to be added to the apologies section.

Matters Arising:

- EB expressed concern that there was no representation from the CNPA Board at the meeting. DS to follow this up.
- It was noted no nominations for Deputy Convener were received. DS suggested that CNPA staff members could provide this cover at times of the Conveners absence (without the need for a deputy). EB stated his preference would be to have a deputy and asked members to consider if they would like to focus on a particular topic area.
- The definition of a refuge is a big chunk of Caper habitat that is from the most part free from disturbance.

#### **Action points arising from the last meeting:**

- AP1 –** Carried
- AP2 –** Discharged
- AP3 –** To be discussed under AOB
- AP4 –** Discharged
- AP5 –** Carried
- AP6 –** Carried; to be brought to the next meeting
- AP7 –** To be discussed under Agenda item 9
- AP8 –** To be discussed under Agenda item 9

#### **Item 5 Report on James Hutton Institute study of Cairngorms Local Outdoor Access Forum – Progress & Plans:**

Katrina Brown presented her report to the LOAF. Comments from the Forum:

1. DS was asked if field trips still occur and responded that individual field trips are organised as necessary (i.e. Speyside Way) and if felt appropriate they could be started up again more regularly.
2. EB raised a contradiction in the presentation regarding consensus approach. KB responded this was regarding tensions with members about things being recorded on the record that had not been generally agreed.
3. KB advised they now have a 10 year dataset at how Forum's have evolved which evidences the need to reserve resources to fund it. Regarding resourcing it was commented that Forums may run too well for their own good and if people are reasonably satisfied with it then there is not a need to put more resources towards it. KB responded there is a black hole in problem reporting - there is little awareness that problems can be reported so there could be problems out there that don't ever come to the Forum or it could be that they take a long time to get to the Forum. It was agreed this goes back to public awareness of what the Forum actually does and the process of reporting items that can go on agendas.
4. KB was asked about Dundee's progress and how this Forum fits into the national picture. In response KB advised Dundee had a crisis of function for a while - they had done their core paths plan and landowner / recreation conflicts had been resolved and they had reached an equilibrium so they reinvented themselves in an active travel way and are looking for funding and getting networks and partners together to get particular problems sorted – there is a big focus on infrastructure and programmes.

DS advised in terms of this Forum it was set up with the key focus on core paths which has taken place and as access rights have become embedded over time disputes have been reduced and the challenge now is ensuring the best use of the forum is made alongside the reduction in some of the demands taking place. DCL added the challenge throughout Scotland is the same, and direction from KB is appreciated as to setting priorities with Active Cairngorm, active management and promotion which was agreed at the last meeting as a way forward. There is still a conversation to be had in terms of working with Local Authorities as to how best to achieve access for the future.

5. KB advised in the early years it was good to have the Forum to sort out difficult issues but it is still important in the intervening period as it is cementing relationships in the Forum and building up channels of communication.
6. JP said with regards to the conflicts that arose with the Caper framework he felt the support and guidance received from the Forum was invaluable and had a huge impact in the early workshops.
7. KB was asked if there was a feeling for any trends. KB has not yet analysed the later years but advised now there is more of equilibrium there is more space on agendas which could be filled with more proactive things. KB will look at more recent meetings and pre-emptive strikes.
8. There is interesting work coming up in Active Cairngorms, what is the demographic going to be like? KB advised if policy makers want it to be more participation based it will have massive issues for access, in terms of how to maintain social inclusion whilst keeping things responsible.
9. EB thanked KB for her presentation. A copy of the draft research brief can be made available if required ([katrina.brown@hutton.ac.uk](mailto:katrina.brown@hutton.ac.uk) / tel: 01224 395292).

#### **Item 6 Report on the work of the Dee Catchment Partnership:**

This item was removed from the Agenda due to Joanna Dick cancelling her presentation to the meeting.

#### **Item 7 Active Cairngorms**

DCL presented paper 1.

10. 42 consultation responses were received from a wide range of people (although a low turnout from the public was noted) and overall feedback to the aims and priorities was positive and supportive. DCL proposes to make minor text changes to the document and the final strategy will be emailed to Forum members before being presented to the CNPA board for adoption on 26<sup>th</sup> June 2015. No individual comments were received from Forum Members and at the last meeting the Forum fully supported the document.
11. DCL advised there is an internal staff photo competition for the front cover. The document is on the website in PDF form but if anyone wants a hard copy to let DCL know.
12. It was noted that the Aviemore Community Council put in a consultation response via a web form on 10<sup>th</sup> April but has not been included (they were fully supportive of the Strategy). DCL will look into this.
13. DCL advised his team are now looking at implementation and are in discussion with partners and hope to take it forward with a range of partners across the environmental public sector.
14. DCL has had positive meetings with health practices in Aviemore and Grantown with the aim to develop a GP led referral programme. Discussions are being had at CE level including a meeting with NHS Highland CE to promote the walking to health programme (i.e. prescribing a ranger health walk

for depression is a key part of the health walks programme as it promotes good physical and mental health and also has social benefits).

15. EB asked if the Forum have a role in terms of access strategy promotion. DCL advised yes and there are 3 strands to this: 1. to continue to have a role advising on key priorities for development; 2. ensuring core paths are fit for purpose and 3. to ensure active travel aims are the right aims. Further development of active travel hubs / cycle hubs and various projects are on the go in terms of the Scotrail franchise to invest in stations in the Highland mainland. The aim is to develop cycle hubs at all these stations so there will be a lot of infrastructure work to comment on and promotion of physical activity and community outreach.
16. It was raised again that in the document there is only one gender specific image.

## **AP5 DCL to look into missed consultation response from Aviemore CC**

### **Item 8 Speyside Way Extension**

DCL gave a verbal update on progress with the Speyside way.

17. There are still bits to complete on the Aviemore to Kinraig section i.e. removal of barriers, signage, some fencing to complete and the final site checks. The boardwalks and bridges are now complete.
18. Overall the project has successfully raised £365,000 of external funds and is a good example of joint working with partners to develop a high quality recreation route for the Cairngorms. £30,000 has been raised for the Kinraig to Kingussie section and it is hoped to secure the funds to develop it next year.
19. RC commented that the Newtonmore Community Council had been concerned about a section by Dalvie up into the woods behind Inch which diverts from the Spey. DCL advised that this is the only way it can go at the moment. It was noted that this line of the route had been out to consultation.
20. DCL advised once the signage is done an official launch will be held during the summer for which a Government Minister will be asked to carry out an official opening. A foreword for Active Cairngorms will be written by Olympic Athlete Snowboarder Lesley MacKenna.
21. Discussions have been had with Newtonmore Community Council regarding a new gateway structure that will tie in with the active travel hubs with the idea of getting off the train straight on to the cycle path to Aviemore.
22. It was noted that there is a budget and DCL's team are responsible to monitor and maintain the path; CNPA pay a block grant towards Cairngorms Outdoors Access Trust and have allocated £25K this year for ongoing maintenance but realise that this is not enough and will take proposals to senior managers to increase it. It has been raised at national level that there is insufficient investment in these routes.
23. Donation boxes along the path were suggested and will be discussed at a later meeting.
24. The last photo was raised (with the 2 fences and the open ground on the left hand side) and it was asked if it is to discourage movement from the path. DCL advised after discussions with the land owner this was deemed necessary.

### **Item 9 Capercaillie Framework**

Justin Prigmore presented Paper 3 with 2 annexes to update the forum and advise of the next steps.

25. Implementation of Phase 2 has been approved as a priority in the CNPA Corporate Plan. Project planning is the next step and the project board are keen to maintain the momentum developed with Phase 1 and wanted to focus on quick wins to do practical work on the ground.
26. A top priority fence at Cawdor Estate has been removed.
27. Refuge creation – there was discussion around how paths are designed. Officers are considering whether reducing paths use / or removing them will have an impact on Caper usage of the area. People counters have been purchased to start work on the people monitoring programme.
28. Development pressure was discussed and will be monitored to see how changes and mitigation on the back of development is effective.
29. Mountain biking will be looked at to see if it has the same impact as a multi used path.
30. A seminar has been held to help development communities around this and it is vital to put together an effective campaign. The main point that came out of this was the negative perception there is about Capers and there is a need to address this to create a more positive connection.
31. RC asked if the Forum were aware that game keepers are saying there is less than 500 left and suggest they need to be counted again. In response JP advised there will be a national survey this winter and based on the last count there was between 800-1000 birds.
32. There was discussion around the issue of predation. JP advised they are trying to push legal predator control across the Caper area. The big threat to Caper is the pine martin. EB asked if key stakeholders are on board with this and it was disappointing that a push on predator control is coming out from GWCT. JP advised that GWCT are part of the team working on the Caper framework and are behind it. RC said a lot of money is being spent on Caper protection and if it is going down the predator control route the gamekeepers may be of the opinion that they could do a better job of it. JP advised it is Pinemartin the GWCT mean and felt that we need to try to do what we can by raising the population and by looking at habitats. EB stressed the importance of having all stakeholders on board and in particular talks between SGA and GWCT. It was commented that people are not aware money being spent on predator control. In response JP advised money is available for this.
33. It was suggested, to raise public image naming a whisky after it.
34. It was asked if funding had been secured for Phase 2. JP advised there is no funding and marketing still needs to be found as part of Phase 2. Mapping was done for the framework and this identified areas of habitat expansion, the Forestry Commission and Scottish Government put in maps at a premium with the SRDP so they will get 12% on top of regular payment within these areas.
35. Next steps are assessing funding sources and getting on with it - i.e, duplicating the work that has been done in the Boat in other communities.
36. EB asked if the Forum need to be forewarned about access restrictions? JP will be fully advised by the Forum Access Team and consultation will be had proportionate to risk on a case by case basis. JB will take back to the Forum as required.
37. It was commented that farmers could be upset to hear about projects like this getting SRDP money, as it could be perceived as money being taken away from agriculture and there are difficulties with them getting into those schemes due to conditions imposed. EB advised part of SRDP funding comes from Forestry and JP advised there are separate schemes for woodland creation / management. JP asked if the CPNA land owner advisors could help and JP will follow this issue up with the forum.

#### **Item 10 LRA Section 13 duty**

DS presented 4 new cases since the last meeting.

38. Forestry Commission sign at FCS Inschriach has been promptly removed. EB expressed disappointment a public agency do this and DS advised it is common and they took it down quickly.
39. Neighbour dispute at Gairnshiel Lodge regarding a strip of land used for dog walking. Officers are investigating a) applicability of access rights on behalf of neighbour to Gairnshiel Lodge, b) the owner has asked for an indication of what would be considered privacies along the lodge. Case is complicated and ongoing.
40. Aviemore path – deliberate obstruction of existing (long established) informal path within grounds of former school (fence installed). Initially thought to be an intentional block of the route by the Council to prevent people getting near to the old school as it creates an unmanageable risk to the public. Aviemore Community Council believe this to be deliberate and suggested fencing to stop people going into the school as this would allow the path to be retained. There was discussion around the long term plans for the school and whether a path could be built into the plans – this is what the community council would be looking for. There is a dispute over who owns the ground.
41. Dalwhinnie – standard H&S signage fixed to a gate on a quarry track. SSE to be contacted and case to be progressed in due course.
42. In response to a previous complaint when asked for an accessible gate for a long wide vehicle gate, a kissing gate was put in (instead of a 2 way opening gate) which restricted bikes. The lock was removed from the main gate and they are planning on modifying the kissing gate – resolved.
43. Revack: There have been a number of complaints which are being taken up with the owner and a meeting was held recently. The challenge is they have a particular view of how access should work compared to what the LRA says. They are looking at making major changes to how people access the estate i.e. minimising pedestrian access, closing the café and restricting vehicles. Officers are trying to be pro-active to achieve the best solution and improve working relations.
44. It was questioned what the process is for raising access issues and confidentiality issues. DS advised matters can be raised through a Forum member, or call the Access Team or there is a proforma on the CNPA website. There was discussion around confidentiality of people reporting issues so they are confident there will be no personal repercussions and around FOI and data protection. DS advised we would never reveal or publish the names and if a FOI request came in such information would be redacted so it would not be on the public record.
45. There was discussion around the simpler reporting of these cases to the Forum. It was agreed to have a live closed list of ongoing cases (with just numbers) and DS will email the Forum to draw attention to anything he feels helpful. DS to add to the table of ongoing cases and ones he feels sufficient to add to text list and if necessary email out the chart to Members.

#### **Item 11 Activities update and forward look**

DS presented Paper 4 and drew the Forum's attention to the headlines.

46. A few small grants have been made to NCTWP Rural, Rural Community Woodland Development Trust to purchase strimmers to maintain paths. A grant has been made to Carrbridge community to repair the Ellan Bridge.
47. Speyside way: there is potential for some funding to do a survey of the existing Speyside Way between Cromdale and Boat of Garten. Hope to have a large scale development funds when come to build the

route and CNPA are looking at how to manage in the future the rest of the Speyside Way and to underpin this new section.

48. Laggan Forest Centre is now complete and open. It was commented that it was built right on the end of the pony trails and they can no longer get into them nor will they get a carriage through. It was noted that this was consulted on but was not picked up by the community council.
49. HLF Tomintoul / Glenlivet project Landscape Partnership – there will be a survey to identify where the £210,000 of improvements will be focused. It was noted that this amount will not deliver all the necessary improvements on that section but will pave the way for the rest of the money but it is still to get through to Stage 2 before any money comes in.
50. The Cairngorms Nature Festival is this weekend.
51. It was noted that the damage to Dulnain Bridge is being looked at by COAT.
52. There was discussion around the issues with reprinting the Paths leaflets. DCL advised there was no long term budget for them and the CNPA do not have the revenue to reprint them but may be able to make a contribution and we may need to be creative as to how to raise money for them. The Forum felt they were great leaflets for the Park and it would be a shame to lose them. RC wanted to look into doing one for Newtonmore as the conflicts have now gone. EB raised the need for consistency with funding from the Park as it is seen going into various different things.

#### **Item 12 A.O.C.B and Updates from members**

53. The Rock and Road mountain bike festival is a family event and will be held on 12<sup>th</sup>–14<sup>th</sup> June at Tomintoul – 300 people have entered into the big race and the Community Development Trust are running the festival around it.
54. Peter Mackay advised re. the bridge over the Derry Burn - NTS have installed a temp replacement and Scotways are looking to put in a permanent bridge in memory of Donald Bennet who passed away recently.
55. EB asked if a member could attend the A9 duelling access issues meeting on 26<sup>th</sup> May. RO will try to attend and will see if someone with specialist horse knowledge can also attend. Any other interested parties are welcome to attend.
56. EB appreciated the work KB has done and her excellent presentation and will write to Hutton on behalf of the Forum supporting KB and saying how much they appreciate her work and what she is doing.

**AP6 - EB to write to Hutton in support of KB's work on behalf of the Forum**

#### **Item 13 Date of next meeting**

57. Tuesday 18<sup>th</sup> August at Glenlivet Estate Office, Tomintoul, 6-8.30pm (subject to possible change)