

CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

MINUTES OF THE EIGHTH MEETING Held in the Clova Hotel, Glen Clova, ANGUS

Tuesday 13 June 2006 at 17:00

Present

Dick Balharry (Convenor)	Jack Hunt
Nic Bullivant	Andrew Wells (Vice-Convenor)
Jo Durno	Jamie Williamson
Debbie Greene	Paddy Wright

Apologies

Mike Atherton
Simon Blackett
Ian Dunlop
Helen Geddes
Fred Gordon
John Grierson
Dave Horrocks

David MacKay
Ken MacMillan
Peter Ord
David Selfridge
Roger Searle
Richard Wallace

In attendance

Fran Potheary, CNPA
Murray Ferguson, CNPA

Observers/ Members of the public

Ken Thomson,. Chair Aberdeenshire LOAF
Glyn Jones, Ranger Balmoral Estate

Summary of Action Points

AP1: FP to request summary proceedings from SRPBA and circulate to Forum members.

AP2: MF to consider the recommendation that Sportscotland is offered a place on the Forum

AP3: FP to feedback on production of annual report at next Forum meeting

AP4: FP to ensure Board Paper of 30th June is circulated to Forum members

AP5: FP to invite Sue Hilder (NFUS) and Janice Gray (SRPBA) to speak at one of the forthcoming LOAF meetings

AP6: FP to ensure that the Forum is kept informed of SE monitoring returns on a twice yearly basis

AP7: FP to draft letter of response to Dinnet Estate summarising the Forum's advice

Item 1- Welcome and Introductions

1. Dick Balharry (DB) opened the meeting and thanked Alan Gordon and Graeme Christer from Angus Council for their time and valuable input with the

afternoon walk in Glen Clova. He also welcomed Ken Thomson and Glyn Jones as observers to the meeting.

Item 2 – Apologies

2. Apologies are outlined above.

Item 3 - Minutes of the last meeting

3. Minutes of the seventh meeting in Strathdon on April 22nd were approved.

Item 4- Matters Arising

4. The Convenor noted that all action points had been discharged with the exception of AP4 which was for Fran Potheary (FP) to ask SRPBA for summary proceedings of the event for land managers on LAF's, and to circulate them to Forum members.

AP1: FP to request summary proceedings from SRPBA and circulate to Forum members.

5. AP3: Jamie Williamson noted that Alvie had in fact responded to John Davidson's letters and wished it recorded that this was the case.
6. The Chairman welcomed the interest and involvement of members of the public in the work of the Forum and made specific reference to the recent correspondence he has had with John Davidson.
7. CNPA had received a letter from Visitscotland regretfully withdrawing from the Forum due to other priority commitments. The matter was discussed and the Forum recommended that Sportscotland is approached to fill the vacancy for a public body on the Forum.

AP2: MF to consider the Forum's recommendation that Sportscotland is offered a place on the Forum.

Item 5 - Evaluation of LOAF Annual Event

8. The Chair asked the Forum members views on how the event could be structured in future, with a view to attracting more attendance.
9. A view was expressed that using a controversial topic might attract people, but it was also suggested that this might narrow down the field of interest too much. It was also mooted that more specialist themed days might be suitable in a few years time when the Forum is well-established and people have better base-line understanding of its role and purpose.
10. It was suggested that the event partially met its aims – that people gained a clearer understanding of core paths, but there was still confusion about the role and work of the Forum.
11. The discussion moved onto to the communications plan and the idea of a newsletter and an annual report to publicise both the work of the Forum and Park Authority in outdoor access issues. The idea for a bi-annual newsletter and short (4 page) annual report was widely supported. It was felt that

examples of issues resolved and the process followed would be of interest to the public.

12. It was asked whether the Forum should be developing signage guidance for land managers on a Cairngorm wide-level. FP alluded to the Land Based Business training course on signage in the autumn, and MF drew attention to the fact that the draft Outdoor Access Strategy included a policy on this issue and actions that would lead to production of technical guidance specifically for the Park. FP also referred to existing and forthcoming national guidance and distributed copies of the recently produced SNH Signage Guidance.
13. In response to a question about whether the copy for a newsletter or annual report would be written by the Forum or the Park Authority staff it was agreed that CNPA staff would look at the resources implications and feed back at the next Forum meeting.

AP3: FP to feedback on production of annual report at next Forum meeting

14. The Chair asked the Forum members to think about the role they could play in raising awareness of the need for funding for access infrastructure and path maintenance. MF said that there was going to be an informal discussion session with the Board in late August to look at Core Path planning issues to which the Forum could be invited. He also informed the Forum of a paper that would be going to the Board in June asking them to approve the draft OAS as the basis for consultation. This paper is also seeking the approval of the Park Authority look in more detail at forming a Park-wide Trust to focus on outdoor access issues. It was agreed that this paper would be circulated to the Forum members.

AP4: FP to ensure Board Paper for meeting of 30th June is circulated to Forum members.

Items 6 & 7 - Prioritising casework in upholding access rights and report on access issues and associated timescales

15. FP suggested that Papers 2 and 3 (circulated at the meeting) were considered in tandem as they were so closely related. Consideration was then given to Paper 2.
16. The Forum was happy with the broad basis of criteria used and recognised the reporting form as being largely a working document for access staff. A request was made to ensure that lower priority cases still got due attention and didn't simply fall off the radar.
17. The following were suggested:
 - separate out the "live" and "closed" cases to make it easy to see what current caseload is
 - give each case a number to enable easy referencing in discussion
 - do not use abbreviations (except where essential) to make reading the table easy
 - group issues according to type, and simplify the categories
 - do not let the table get too complicated – keep it as simple as possible
 - produce a cover paper with each report for the Forum drawing attention to trends, general themes and other matters

18. It was suggested that other resources could be utilised to help resolve access issues– for example, the access officers from the SRPBA and NFUS could be used to give advice on generic issues, or possibly intervene with specific issues, subject to agreement with land managers involved. It was noted that this would have to be dealt with sensitively but that the access officers were a resource that we should not ignore. The Chair suggested that they are invited to a Forum meeting to give a presentation about their work and how they can assist access authorities and LOAFs resolve disputes.

AP5: FP to invite Sue Hilder (NFUS) and Janice Gray (SRPBA) to speak at one of the forthcoming LOAF meetings

19. FP added that she is keen to encourage members of the public, where appropriate, to make approaches to land managers themselves regarding access issues they might encounter. She used as an example an access issue that might affect a number of people from the same community and an initial response that might be made by a community body. In this way, solutions might be reached in a less confrontational way as sometimes the intervention of the Park Authority at a very early stage in an access dispute could escalate a problem and be seen to be inflammatory. FP also added that she was intending to finish the introductory leaflet for land managers explaining the role and work of the CNPA in access and outlining broad responsibilities of users and land managers under access legislation.
20. A question was asked about monitoring returns on outdoor access issues for the Scottish Executive which are completed by local and national park authorities on a twice annual basis. The Forum were interested in this information and asked that a standing item be put onto the agenda so that info It was agreed that there would be a standing item giving information twice yearly at Forum meetings. Debbie Greene referred to a website link which displays the collated information on access returns from all authorities.

AP6: FP to ensure that the Forum is kept informed of SE monitoring returns on a twice yearly basis

Item 8 Loch Kinord – access to water

21. FP introduced the background to the issue. Loch Kinord (and its neighbour Loch Davan) are both part of the Muir of Dinnet National Nature Reserve and a new agreement is in place allowing management of the reserve by SNH. The Reserve is highly designated and is a Natura Site. The species of particular importance in respect to water access are over-wintering geese, breeding birds and otter. The site is promoted for enjoyment of the natural heritage by the public and there are networks of paths that support this. In addition the waters of Loch Kinord are fished on a regular basis.
22. CNPA had been approached by members of public last year about whether access rights applied at Loch Kinord. The enquiries had generally come from the canoeing fraternity. CNPA had opened dialogue with SNH staff and jointly concluded that under the Land Reform (Scotland) Act access rights do apply. However, it was recognised that it was essential that any such access would have to be carefully managed and monitored so as to ensure no detrimental effect to the species in question. The presence of protected species and the fact that the site is designated under Natura affords it

increased protection from damage and disturbance under wildlife legislation. It was SNH's view that although access rights also applied to Loch Davan it would be difficult to exercise these rights responsibly without disturbing wildlife. This aspect should also be addressed in the guidance.

23. CNPA and SNH staff met with the Dinnet Estate to explain how the issue had come about. At that meeting the Estate factor made it clear that the Estate did not believe that any access at all was compatible with the 'primacy of nature' (a key element of the NNR agreement) and this view has been expressed in subsequent correspondence. In the Estate's last letter of April 12 2006, it was requested that the matter be taken to the Forum for consideration.
24. A meeting with recreational users was also convened, attended by canoeists with an interest in canoeing on Loch Kinord, either as individuals or as part of organised groups. Some people intimated that they had been taking access to Loch Kinord over the years but had never really felt comfortable with it, being unclear on the effect of access vis-à-vis its status as a nature reserve. The outcome of the meeting was that canoeists strongly supported the production of guidance on how to take access responsibly and, as managers of the reserve and the lead body with responsibility for Natura sites, SNH staff agreed to take on this task.
25. A number of points were raised by members of the Forum:
 - There was very good knowledge of the site by some members of Forum;
 - Nature conservation issues have to be given priority;
 - Signs and other information, provided as guidance, should be able to make clear to users what behaviour was, and was not, responsible for that site;
 - Careful monitoring of both species and recreational behaviour would be required to make sure that management measures were appropriate;
 - We should be ready to consider changes in the light of the information gathered – an adaptive approach was needed;
 - Foot access could be just as significant in terms of disturbance to many of the species. It was important that water users did not feel penalised. This is especially important given that there was already fishing from the banks of the loch, and in the past from boats on the loch;
 - It was important that a generally welcoming approach to users was conveyed but that they were made very aware of special nature of site and the need for very careful use;
 - Zoning of the site on temporal and spatial basis should be considered as part of guidance.
 - The lochs should remain a place for quiet recreation, in harmony with other users.
26. The Forum concluded that the approach taken to the issue by the National Park Authority and SNH was along the right lines. The Forum welcomed the production of guidance and the detailed ecological assessment of the site which will be carried out by SNH. The Forum asked to be kept informed of progress. CNPA staff reiterated that it was not their intention to promote water based recreation at such sites within the Park.

27. Some Forum members expressed an interest in visiting the site along with Estate representatives and others to learn more about the issues and discuss matters of detail.

AP7: FP to draft letter of response to Dinnet Estate summarising the Forum's advice

Item 9 Core Path planning – update

28. MF introduced this update on behalf of Adam Streeter-Smith. Work has focused recently on the setting up of the project board and project steering group. The project steering group consists of two LOAF members (Helen Geddes and Andrew Wells); three CNPA Board members; the two CNPA Community Liaison Officers and a representative from Scottish Natural Heritage. The project steering group have their first meeting on June 27 and will be asked to approve the following three things:
- The Project Plan for the Core Path planning process (covers costs, quality and timing as well as process);
 - The Consultation Diary (provides a complete record of the project process)
 - The Consultation strategy (identifies how the plan will be consulted on, by whom, what, where, when and how much)
29. The next edition of Park-life (the community oriented newsletter for park residents) will feature a centre page spread on the Core Paths Planning process. A fact sheet will be compiled and circulated prior to public engagement. The first round of consultation is scheduled to start at the beginning of September.

Item 10 - Date of Next Meeting

30. This will be held on Tuesday 5 September at 6pm at a venue (to be confirmed) in Strathspey. There will be a site visit arranged for the afternoon.