

## CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

### MINUTES OF THE ELEVENTH MEETING The Lecht Ski Centre

Tuesday 16 January 2007

#### Present

Mike Atherton	Peter Ord
Nic Bullivant	Roger Searle
Simon Blackett	Richard Wallace
Helen Geddes	Tim Walker
Debbie Greene	Jamie Williamson
Fred Gordon	Bryan Wright
John Grierson	Andrew Wells - Vice Convenor

#### Apologies

Dick Balharry - Convenor  
Nonie Coulthard  
Jo Durno  
Dave Horrocks  
Jack Hunt  
David MacKay  
Ken MacMillan

#### In attendance

Murray Ferguson, CNPA  
Bob Grant, CNPA  
Sandra Middleton, CNPA  
Fran Potheccary, CNPA  
Adam Streeter Smith, CNPA  
Cath Clark, Paths for All Partnership

#### Summary of Action Points

**AP1: FP to incorporate training and discussion opportunities on the subjects of mass events policy and good practice for gates and stiles into the Forum programme for 2007**

**AP2: Members of the Forum to revert to the Secretariat by the end of January with an indication of their preferred length of term of membership**

**AP3: The Park Authority to initiate the recruitment of future Forum members**

**AP4: The Park Authority to communicate a position statement on land manager contact with geo-cache organisers.**

#### Welcome and Introductions

1. Andrew Wells opened the meeting and asked Murray Ferguson to introduce (in her absence) Nonie Coulthard who is the new Board-Forum link replacing David Selfridge. Nonie is one of the most recently appointed Board members, a resident of Glen Isla and a self-employed ecological consultant.

2. AW invited the Forum to reflect on the Core Path Planning workshop they had attended during the day. The following points were made:
  - It was felt strongly that the path network should provide high quality experiences of the Park's special qualities and this could be worked into a further consideration of individual path criteria
  - There was a suggestion that the natural heritage staff have an input into the question of whether individual paths are located within sensitive sites
  - Consideration should be given to paths that cross boundaries into neighbouring local authorities. The Forum was informed that this was a key item for discussion at the next Cross Border Working Group held in early February.
  - The network needs to be more than paths that meet certain criteria, it needs a commitment from CNPA to be involved and manage the CP network i.e. Ranger services, funding etc. It was suggested that criteria is not a word that plays heavily with local people.
  - The network shouldn't be too extensive

### **Minutes of the last meeting**

3. The minutes of the meeting on 5<sup>th</sup> September were approved once a correction is made to include John Grierson on the list of those attending.

### **Matters arising**

4. Fran Potheary (FP) informed the Forum that she had received a copy on CD of the Powerpoint presentations made at the National and Local Access Forums in Peebles. She invited Forum members who wanted a copy to contact her.
5. The agenda item on land managers will be carried forward to the March meeting.

### **Paper 1 - Update on Outdoor Access Casework**

6. FP introduced this paper and apologised that she hadn't yet sorted out the colours for some of the spreadsheet cells which would make the spreadsheet more readable. She reminded the Forum that at the next meeting they would be presented with a new spreadsheet of access issues for 2007-08 which would carry forward the 'live' cases only.
7. It was asked how many of the cases involved conflict between users. FP noted that only 1 or 2 of the cases (out of 96) concerned direct conflict between users groups – one of which was conflict between competing business interests. It was suggested that the fears of inter-user conflict may be based on perception rather than actuality – this was supported by the experience of the Forest Enterprise.
8. The Forum was advised that the case load was 'under control' and that cases were now being allocated amongst other access staff. It was clarified that the draft Outdoor Access Strategy identifies an aim of 1 year for dealing with cases, however, FP noted that in reality all cases vary in the length of time taken to conclude them depending on the complexity of the case and resources available. FP advised the Forum that a lot of work goes in to managing expectations so that people are made aware when they report an

access issue that there are no immediate solutions and that some cases may take priority over others. It was purported that cases may become more straightforward to resolve over the coming years as case law is established.

9. It was noted that there are a large number of signage issues that have been reported (only exceeded by reports of obstructions) and suggested that there may be a case for providing more education to Land Managers on appropriate signage. FP advised the Forum that 2 workshops were organised by the Land Based Business Training Project on access signage in the autumn 2006 and that the CNPA have just commissioned 500 access signs based on the SNH templates which will be distributed to Land Managers over the coming year.
10. Clarification was requested on any trends that may be appearing within the cases reported. BG noted that the only trend identified to date has been in relation to cases arising on golf courses and that a very successful workshop was held last year with 4 of the 12 golf courses in the Park represented.
11. The high number of incidence of obstructions was noted and a suggestion made for a Forum training session on best practice in relation to best practice in relation to gates and stiles etc.
12. It was asked whether or not any cases reported to the CNPA had reached a point at which the CNPA would take direct action to resolve them. BG clarified that 2 cases had come close to this and that they had been brought before the Forum and had since been resolved without recourse to more formal powers.
13. A request was made that further discussion on the Mass Events policy within the draft Outdoor Access Strategy should be part of the programme for the LOAF over the coming year and this was added to the list of proposed pre-meeting training sessions for the Forum. MF noted that the Strategy gave a framework for more specific event guidelines and that the Forum should have the opportunity to comment on these.

**AP1: FP to incorporate training and discussion opportunities on the subjects of mass events policy and good practice for gates and stiles into the Forum programme for 2007**

#### **Paper 2 – Reviewing the Membership of the Forum**

14. FP noted that a review of the operation of the Forum was required after two years in line with operating procedures. She suggested that this item should be taken at the next meeting and that LOAF members would be given the opportunity to input into this. It was suggested that the review should highlight the strengths, as well as areas for improvement, of the Forum. It was suggested that CNPA staff feedback to Forum members on the use of the Forum to their work. There was a request for information on how much it costs to run the Forum and an indication of whether it was providing value for money. On the issue of costs, it was confirmed that these would be provided in the Annual Report.

**The Forum agreed to the proposal to undertake a full review of the Forum at the meeting in March 2007**

15. FP brought the Forum up to date with the progress of the annual report. Subsequent to the presentation of the report at the September meeting, it had been agreed between staff, the Convenor and Vice Convenor that the first report would cover the first two years of the operation of the Forum thus bringing the report into line with the timescale for review and turnover of members. FP noted that the report will be expanded to cover the recent months work and incorporate the comments made by the Forum at the previous meeting in September but that it would not be presented again for comment at a Forum meeting. Forum members requested that the Annual Report be distributed via the CNPA website and at the Annual Gathering. It was suggested that an article about the work of the LOAF drawing attention to the Annual Report is put in the next edition of Parklife.

**AP2: Members of the Forum to revert to the Secretariat by the end of January with an indication of their preferred length of term of membership**

16. FP outlined the selection process that had resulted in establishing the Forum and indicated that this was the preferred method of further recruitment, allowing the flexibility to bring people onto the Forum from specific sectoral interests. She also clarified that the recruitment process did not apply to public agency and Board representatives.

**The Forum endorsed the proposal to recruit by public advertisement and a convened selection panel**

17. There was no clear consensus on whether vacant spaces should be recruited immediately or wait until the annual recruitment drive. Generally it was felt that decisions needed to be made on a case by case basis depending on workload and the proximity of an in-year resignation to the year end.

**AP3: The Park Authority to initiate the recruitment of future Forum members**

**Paper 3 – Outdoor Access Strategy**

18. BG introduced this paper which outlined the inclusion of two expanded topics into the draft Strategy. One concerns the management of access at 'sensitive sites' and the second on the question of bridges.
19. It was suggested that the definition of sensitive sites would be a subjective one which may well depend on who defines them. It was pointed out that a lot will depend on the nature of the sensitive site – for example, a path through an area which is designated an SSSI for its geomorphology may well be less problematic than one which is routed through an SSSI designated prime habitat for capercaillie.
20. A query was raised about the bridges policy and why it was felt necessary to include it in the draft strategy. The Forum were informed that a large number of bridges had been brought to the attention of the CNPA, generally due to concerns about their structural state, public safety and the locus of responsibility for their maintenance and liability. In all cases it was felt important to establish primary ownership and liability for such structures and this had proved problematic in several cases. It was also pointed out that the policy states a presumption against new bridges in remote areas.
21. The Forum endorsed the proposed changes.

#### **Paper 4 – Update and Forward Look**

22. BG introduced this paper. He noted that the Board had approved the proposed line of the Speyside Way extension and that SNH was now responsible for taking the proposal to the Scottish Ministers. He noted that although the Board paper attracted some debate, the matter did not go to the vote and the recommendation for the Wade route was accepted by Board members.
23. It was brought to the Forum's attention on the matter on another long distance route that the Deeside Way had benefited considerably from a large sum of money from the Executive voted through Sustrans, and on the basis of this the route would be extended all the way through to Ballater.
24. FP reflected on the Golf Managers Workshop which has been an excellent training day and received high praise from all participants, although responses from golf courses were limited to only 4 out of 12 in the Park. It was agreed that the report on the workshop would be copied to all Forum members and made available on the website.
25. The Forum reflected that three areas were worthy of more detailed examination by the Forum. These were as follows:
  - the CNPA mass events policy;
  - good practice regarding obstructions and signage
  - the issues of particular concern to golf courses.
26. A visit to a site where access issues are still under discussion was suggested but it was decided that this might be more appropriate once the matter was closer to conclusion.
27. Cath Clark drew attention to the HITRANS Active Travel Programme and it was suggested that after further thought, she revert to BG with suggestions as to how the Park Authority and the Forum might be involved.

#### **Paper 5 - Geocaching**

28. This paper was raised by Peter Ord in relation to concerns about the rising popularity of the sport and how it had impacted on Balmoral Estate to date. He summarised what geo-caching was and stated that the principle concern of land managers was that they had little control over the siting of geo-caches and hence their impact on land management and the natural heritage. PO informed the meeting that there were 9-10 sites on Balmoral and it was added that a further 14 are known to exist on Invercauld.
29. The differences between orienteering and geo-caching were stressed, particularly that whilst geo-caching was organised it wasn't regulated and that there did not appear to be the degree of land management contact that there should be, and was the case with organised orienteering events.
30. DG informed the Forum that the view of SNH was that geo-caching did not fall under the definition of an organised event and that the leaving of a cache **did not** fall within access rights. She also informed the meeting that the issue had not yet been raised as a formal concern with SNH, but that the matter of

“leaving things in the countryside” would be considered for clarification in the review of the Code.

31. Forum members felt overall that land managers did have the right to remove caches and it was suggested that alternative ways of geo-caching could be thought of - for example, rather than something being left, a photograph could be taken to prove that a location had been visited.
32. On a positive note, the Forum was reminded that geo-caching was a popular family sport and encouraged people to get out and enjoy the countryside. It was also felt that it would be relatively easy to establish dialogue with geo-cache organisers as information about the activity appears to be almost exclusively by web based. It was suggested that the Park Authority could write to geo-cache organisers with positive encouragement to them to contact land managers as a matter of course when considering the placement of caches.

**AP4: The Park Authority to communicate a position statement on the advisability of land manager contact for geo-cache organisers.**

33. BG noted the role of the National Access Forum in regards to this national activity and informed the meeting that Mark Wrightham had logged the issue for future consideration.

**Date of Next meeting**

34. This will be held on Tuesday 27 March at the Duke of Gordon Hotel in Kingussie 18:00-20:30. The meeting will be preceded by a training event, details of which will follow.