ViSIT FORUM

Title: **Outdoor Access Strategy: Key Issues Emerging**

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Purpose

The purpose of this paper is to summarise progress in developing an Outdoor Access Strategy for the National Park.

Recommendations

That the ViSIT Forum note progress and consider the issues that are raised in this paper.

Executive Summary

The development of an Outdoor Access Strategy for the National Park has been a collaborative process to date and has generally highlighted a broad degree of consensus from the stakeholders who have been involved. The work to date has largely focussed on ensuring that all the key issues have been identified. The next stage of the process is to resolve the issues by producing appropriate polices and producing an action plan that will guide the management of outdoor access in the Park over the next five year period.

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OUTDOOR ACCESS STRATEGY: KEY ISSUES EMERGING
FOR DISCUSSION

Background

1. In February 2005 the Cairngorms National Park Authority became the "access authority" as defined in the Land Reform (Scotland) Act 2003. Up until that time the duties and powers in relation to the management of outdoor access were the responsibility of the four local authorities. In considering the matter in May 2004 the Board agreed that an Outdoor Access Strategy should be prepared.

2. The main driving forces which underlie the requirement for such a strategy for the Park are the need:
    a) to review the four different local authority strategies in the light of the Land Reform Act and the creation of the National Park;
    b) to define policy on outdoor access matters at a more detailed level than that provided in the National Park Plan;
    c) to provide the strategic context for the Core Paths Plan which the Park Authority has a duty to prepare by February 2008;
    d) to provide a framework for planning the allocation of resources over a five year period for repair and maintenance of existing infrastructure (including paths) and the development of new facilities; and
    e) to identify the most appropriate mechanisms for undertaking work related to outdoor access.
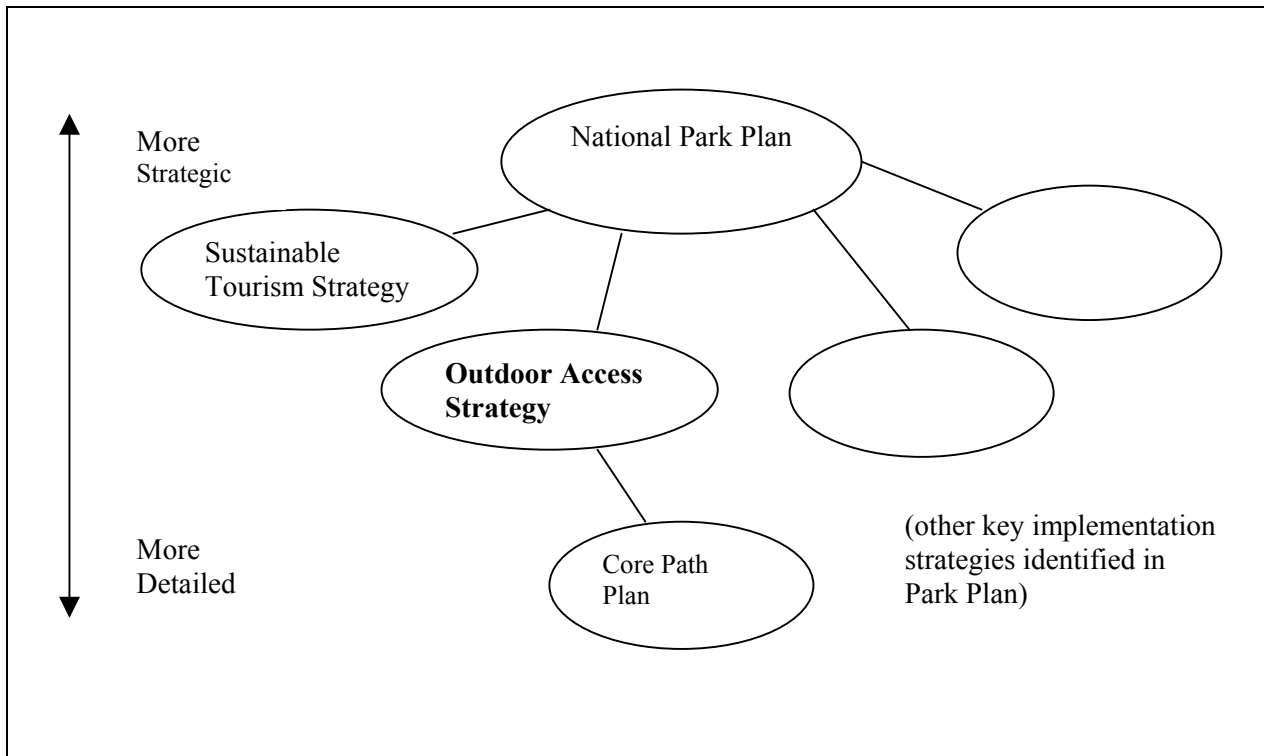
Consultation

3. Some of the work on the Strategy that is described in this paper has already been discussed with the LOAF and the ViSIT Forum. To ensure that the strategy is developed in a thorough and inclusive manner a Steering Group has been set up with representatives taken from the LOAF, Paths for All Partnership and one local authority (Aberdeenshire) and the Park Authority Board.

Policy context

4. At a national level the principal element of the policy context is provided by the Land Reform Act which places a number of duties on the Park Authority and provides a selection of new powers. However, the Strategy also has the potential to take forward at a local level a number of Scottish Executive priorities including the promotion of health and active enjoyment, conservation of biodiversity and promotion of sustainable tourism.

5. At a more local level it is important to understand the relationship of the Outdoor Access Strategy to the National Park Plan. The key relationships are shown in Figure 1.

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Figure 1: Relationship of the strategy to the National Park Plan

Summary of progress to date

6. The Paths for All Partnership and Scottish Natural Heritage have produced a national guide to best practice in the development of Outdoor Access Strategies. This guidance has been extremely useful and a flow-chart illustrating the process that is being followed is contained in **Annex 1**. Staff have completed stages 1 to 4 of this process (subject to Board approval at a future date) and are currently working on stage 5, preparation of the Action Plan.

7. The Audit of outdoor access has now been completed (stage 1 on Annex 1), with input from a number of partners. It reviews the current supply and anticipated demand for access together with the policy context within which an Access Strategy will have to sit. Completion of the Audit has also been useful in terms of populating the Park Authority's Geographic Information System and has fed into the State of the Park Report.

8. Analysis of the Audit produced a number of key issues and these were taken to a stakeholder's workshop (stage 3) at the Lecht on 25 October 2005, involving over 60 invited delegates. The workshop was extremely successful and confirmed that there was a good degree of consensus about the key issues identified. In addition, two further issues were highlighted that should be addressed through the development of the Strategy (see **Annex 2** for a full list of the issues). A copy of the report from the stakeholder's workshop was issued to all attendees, the Board and LOAF members for information in November.

Towards the final Strategy: Issues for discussion

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9. The proposed structure of the finalised Strategy is attached as **Annex 3**. The most significant parts of the strategy are in the Action Plan which comprises sections on Action Themes (or policies), Action Mechanisms and Action Areas. The remainder of this paper deals with each section in turn.

Action Themes (or policies)

10. This section of the strategy is intended to cover the principles and priorities for outdoor access which cover the Park as a whole. A full list of the issues identified at the workshop is attached at **Annex 2**. These issues have been grouped under one of four themes:
    a) Protecting and enhancing the special qualities of the Park;
    b) Awareness raising and encouraging responsible behaviour;
    c) Developing a sustainable mechanism for access; and
    d) Sustaining and developing high quality access opportunities.

11. Staff are currently working on the development of a suite of policies for the Park that will address these issues either individually or in groups. Some the issues can possibly be phrased as policies with little effort. Others will require considerable further work and discussion with relevant parties. Two specific examples are considered below to illustrate the type of issue which the Outdoor Access Strategy is seeking to resolve.

12. **Example 1: Organised outdoor access events**. A number of organised outdoor access events already take place in the Park every year, bringing enjoyment to many people and income to local businesses (e.g. competitive events such as hill races and orienteering, sponsored events for charity fund raising, etc). Organised events are covered by access rights and the Scottish Outdoor Access Code provides guidance on the special care that organisers should take in organising such events. If well planned (in terms of site location, land manager liaison, time of year, etc) these event cause few problems and can contribute towards ensuring the Park is providing experiences for all users.

13. However, staff are aware that a number of concerns have been expressed about the organisation of such events including concerns from:
    a) land managers about lack of contact or late contact from event organisers;
    b) mountain users about the perceived increase in mass competitive events and sponsored events on the plateau;
    c) event organisers about land managers restricting access to their ground through placement of "unreasonable" conditions;
    d) a number of different parties about the need for interested stakeholders to get together to discuss particular event proposals. (NB: In the Glenmore and Rothiemurchus area a group has been established for some time to facilitate this dialogue but this initiative only covers one small part of the Park.)

14. A draft policy is currently being considered for inclusion in the strategy along the lines indicated by the bullet points below.

Elements of draft policy for discussion on organised outdoor access events

CNPA supports the use of Park for organised outdoor access events, recognising that the area offers unrivalled opportunities for participants to enjoy the special qualities of the Park. The Park Authority will develop and keep up to date guidelines for outdoor access event organisers, complementing the national guidance already available, and which will aim to:
  • guide events to environmentally robust sites and/or to sites at the most

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> appropriate time of the year;
> - minimise conflict with other recreational users; and
> - promote early dialogue with land managers and all other interested parties.

15. **Example 2: Car park charging at countryside sites**. There are a number of different approaches in the Park to charging for parking at countryside sites. There is currently no policy on this issue at National Park level. General encouragement is made to develop visitor payback schemes in the Sustainable Tourism Strategy. A number of new car park developments have come before Planning Committee in the last 12 months but there are issues associated with charging for car parks that are outwith the scope of planning control (for example how much to charge, what the money raised should be used for, etc). A draft policy is currently being considered for discussion along the lines indicated by the bullet points below.

> **Elements of a draft policy for discussion on car park charging at countryside sites**
>
> CNPA supports the use of car park charging schemes at key sites for outdoor access and recreation, but only where the following principles are met:-
> - All revenue generated from car parking charges should be re-invested in outdoor access infrastructure or related visitor facilities or services;
> - Appropriate visitor information should be provided about the objectives of any charging regime and how it is operated. To encourage understanding of the need for charges, information should be available on the use to which the income generated has been put;
> - Charges should generally apply to vehicles and not individuals;
> - Arrangements should be made to allow local/regular users to pay a reduced fee through purchase of a season ticket or similar and
> - A single ticket system covering multiple parking sites should be considered.

16. **ViSIT Forum members are invited to comment on any of the issues identified in Annex 2 (or on either of the above examples) and advise how they can be addressed through the development of appropriate policies.**

Action mechanisms

17. This section of the Strategy will consider the mechanisms that are necessary to manage outdoor access in the Park and how they will be utilised. The most significant mechanisms anticipated at this stage are described below.
   a) **National Park Authority staff:** There are currently three staff dedicated to management of outdoor access in the Park. In January recruitment will start for a further officer to assist with preparation of the Core Paths Plan. It is anticipated that staff will principally focus on development of strategic work, implementation of core duties and integration with other activities.
   b) **Local Outdoor Access Forum:** The Forum is now successfully established and is already offering constructive advice to the Park Authority and others. The Strategy will define how the Forum will develop further over the next few years and the role it will play in managing outdoor access.
   c) **A Trust or similar delivery mechanism:** Some kind of delivery mechanism is required to plan and supervise substantial path repair, improvement and maintenance programmes, particularly in the upland areas. The stakeholders workshop confirmed this as one of the highest priority issues that the Strategy needed to address. Planning and supervising such repair/improvement programmes and the associated work requires a set of skills that are not currently

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present amongst the Park Authority staff. Experience in the Cairngorms and elsewhere in Scotland has shown that that there can be considerable advantages in using a Trust or other similar mechanism, not least in terms of ensuring commitment from a variety of funding partners around an agreed set of goals and encouraging the planning of work programmes over a number of years. There is a already a good example of an existing Trust within the Park in the Upper Deeside Access Trust who have very successfully bid for and managed substantial, multi-year path improvement programmes. Similarly the National Trust for Scotland have pioneered techniques of upland path repair and maintenance using a dedicated peripatetic team covering a range of their mountain properties. This has allowed effective programmes of pre-emptive "light touch" work to be undertaken by highly skilled teams as part of larger path restoration programmes. Work is ongoing by Park Authority staff to assess the potential for the use of a Trust or similar delivery mechanism within the Park. There is also an option to tackle other areas of work relating to the Park Authority's remit in a similar way.

d) **Community based Trusts or similar organisations:** A number of small, community based organisations in and around the Park have been extremely successful in improving and maintaining local path networks. For example, in Newtonmore the relevant Trust has developed a path network and environmental enhancements around the Wildcat Trail while in Nethy Bridge an innovative scheme encourages local business to contribute to path maintenance though a sponsorship scheme. The Strategy will wish to address the best role for such initiatives, probably as part of Core Path Plan process, and how they can be stimulated and supported.

e) **Ranger services:** The role currently played by ranger services in outdoor access management across the Park is variable. Rangers employed on specific estates (or similar geographic units) are perhaps most actively engaged but it is hoped that rangers working over wider areas will be able to assist with resolution of access issues. All rangers have an important role in raising awareness of the Scottish Outdoor Access Code. An evaluation of the various options for management arrangements of rangers is currently under way and is due to conclude in early 2006. It is envisaged that the Strategy should endeavour to articulate more clearly the role that ranger services can play in the management of outdoor access.

f) **Groups to share good practice locally:** The high number of different initiatives relating to outdoor access at a local level and the degree of enthusiasm for such work has prompted a demand for groups that share information and experience. A good model for such a group is the Deeside Access Group which currently meets twice a year with the chairmanship shared between the Park Authority and Aberdeenshire Council. It is envisaged that the Park Authority could play a useful role in convening one or more similar groups so that the entire Park is covered. These more local groups for practitioners would complement the work of the Local Outdoor Access Forum.

g) **Land Managers:** Land Management Contracts (LMC) and the Scottish Forestry Grants Scheme (SFGS) have elements within the package that permit contribution towards path maintenance and other infrastructure. As such, there are opportunities for Land managers to undertake works that will contribute to the delivery of the strategy.

18. **ViSIT Forum members are asked to consider the above mechanisms and advise on gaps or ways in which any of the particular mechanisms could be deployed.**

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Action Areas

19. The identification of Action Areas provides a spatial dimension to the aims of the Outdoor Access Strategy. The map at **Annex 4** provides an illustration of the areas within the Park that are considered to have distinct characteristics and requirements in terms of outdoor access. It is intended that in this section of the Strategy these characteristics should be drawn out and strategic level priorities identified for each area. It is envisaged that such work will be particularly useful in guiding the Core Paths Planning process and in framing future applications for external funding.

20. **ViSIT Forum members are requested to note the approach to Action Areas that is envisaged.**
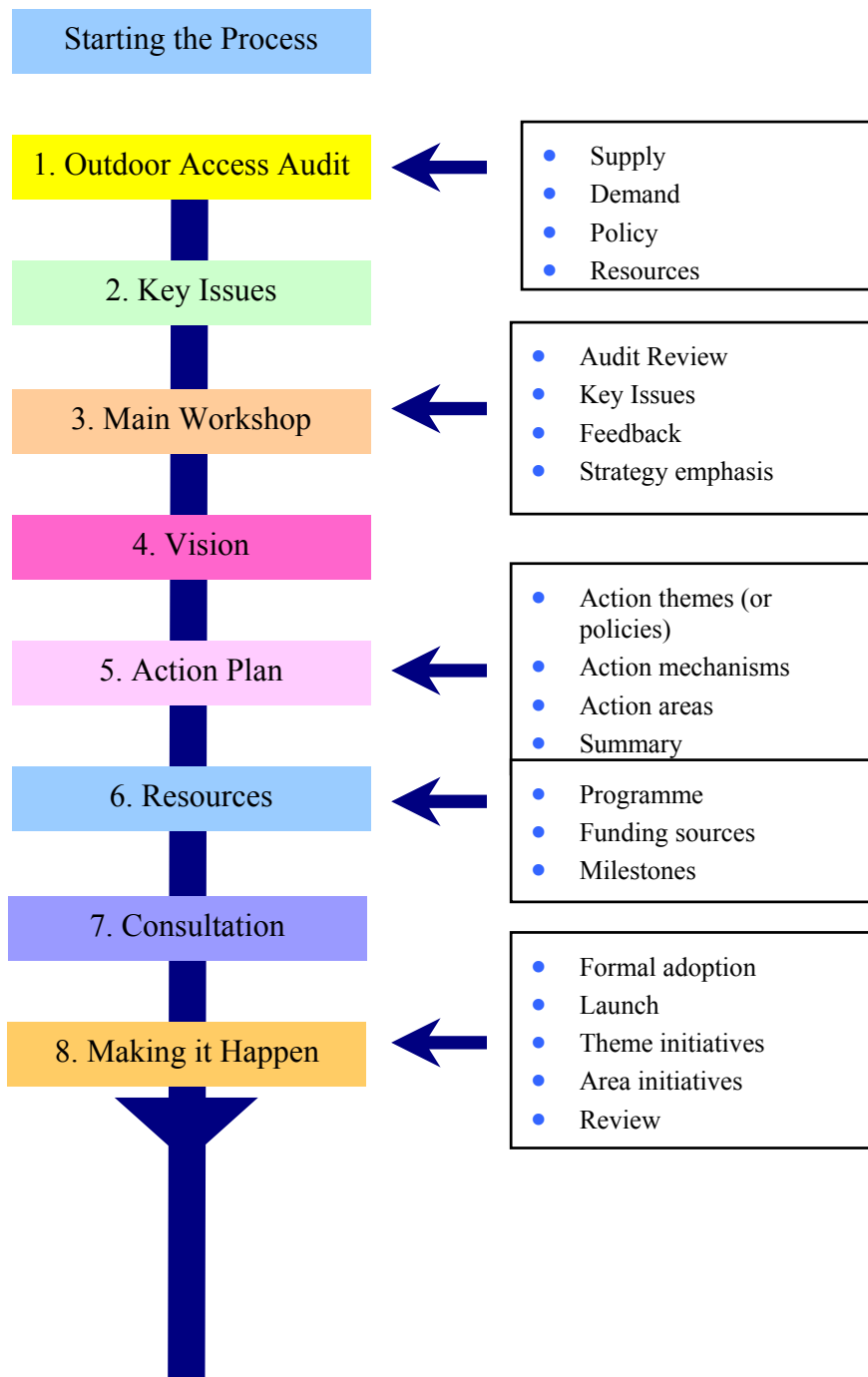
Next Steps

21. Advice has already been received from the Board at a meeting held on 13 January. This together with comments received from the LOAF and ViSIT Forum will help shape further thinking on the strategy. Thereafter a draft strategy will be prepared with the assistance of the Steering Group and taken back to the Local Outdoor Access Forum on 7 March for their advice. It has been the intention to take a final paper to the Board in April, but there may be merit in having a further workshop with the Board to ensure all the salient issues are covered prior to a final strategy being prepared.

22. The draft Park Plan has set a series of Priorities for Action over the next five years with one focussed on providing high quality outdoor access opportunities. Groups of staff and external partners will be convened over the coming months to identify how to take this area of work forwards. The work that has been undertaken on the Outdoor Access Strategy to reach this point will be extremely useful in carrying through this work.

23. As the Outdoor Access Strategy requires to complement the overarching nature of the Park Plan, it would be inappropriate to claim the Strategy is finalised until it can be considered in the light of the consultation on the Park Plan. Until that time it should continue to be referred to as being in "final draft" form.

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Key stages in the development of an Outdoor Access Strategy (Source: Paths for All and Scottish Natural Heritage, 2004)

Starting the Process

1. Outdoor Access Audit
- Supply
- Demand
- Policy
- Resources

2. Key Issues

3. Main Workshop
- Audit Review
- Key Issues
- Feedback
- Strategy emphasis

4. Vision

5. Action Plan
- Action themes (or policies)
- Action mechanisms
- Action areas
- Summary

6. Resources
- Programme
- Funding sources
- Milestones

7. Consultation

8. Making it Happen
- Formal adoption
- Launch
- Theme initiatives
- Area initiatives
- Review

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Summary of key issues in outdoor access identified at the Stakeholder workshop held at the Lecht on 25 October 2005

1. There is a lack of a co-ordinated approach in dealing with a number of different policies that affect the natural heritage of the Cairngorms National Park e.g. conservation issues and the new access rights and responsibilities.
2. The natural and cultural heritage of the Park need to be better understood by all who recreate in the Park so they can minimise their impact.
3. There is an inconsistency across communities in both provision (e.g. path networks) and information (e.g. boards and leaflets).
4. Upland paths require a Park-wide approach to both management and maintenance.
5. There is a requirement to establish a full range of experiences for disabled access takers including an accurate and consistent approach to the description of facilities.
6. There should be a presumption towards multi-use paths that should be barrier free. Failing that, the least restrictive option should be the norm.
7. More off-road and traffic free cycling opportunities are required together with a co-ordinated approach to network development and supporting information.
8. More horse riding opportunities are required together with a co-ordinated approach to network development and supporting information.
9. Water based recreation has a need for sustainable infrastructure at access and egress points.
10. Orienteering opportunities are decreasing because of potential disruption to Capercaillie and there are limited opportunities for other types of orienteering e.g. trail (all abilities) and mountain bike.
11. Management is required to ensure the natural and cultural heritage of the Park is safeguarded at popular setting off points.
12. There is an inconsistent approach to car parking charges and reinvestment across the Park.
13. There is a high level of variation in understanding amongst land managers of their rights and responsibilities arising from the new access legislation.
14. There is a high level of variation in understanding amongst recreationalists of their rights and responsibilities arising from the new access legislation.
15. The public transport network needs to link effectively with recreational opportunities and path networks both for communities and visitors.
16. Large scale events need to be managed so that their impact on the natural and cultural heritage, on land management operations and on the enjoyment of other recreational users is minimised.
17. A consistent delivery mechanism for both capital and maintenance projects requires to be established that makes best use of all available funds.
18. There is a need to manage potential conflicts between different recreational user groups.
19. There is a lack of baseline data on both usage levels and environmental impacts.

NB: A full report of the discussions at the workshop, including contributions made by individuals, is available on request.

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Proposed structure of the Outdoor Access Strategy

1. Introduction

2. Scene Setting

> * **Policy Background**
> * **Statutory Duties**
> * **Methodology**
> * **Summary of Access Audit/Key Issues**

3. Vision and Strategic Objectives

4. Action Themes

> * **Forward Look**
> * **Action Themes**
> * **Policy Areas & Action Targets**

5. Action Mechanisms

> * **LOAF, Trust, Rangers/Staff**
> * **Best Practice Groups**
> * **Core Path Planning Principles**
> * **Resources**

6. Action Areas

> * **Mapping**
> * **Identification of areas with similar access issues**
> * **Development of priorities for each area**

7. Monitoring of Strategy

8. Conclusions

9. Annexes

> * **Summary of key issues**
> * **Report of Stakeholders workshop**
> * **Analysis of responses from Stakeholders Workshop**

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