

ABERDEENSHIRE LOCAL OUTDOOR ACCESS FORUM

MINUTES OF MEETING 26, Monday 19 January 2009 BARN & BUSHEL, THAINSTONE CENTRE, INVERURIE

Present: Ken Thomson (Chair), Bill Ashcroft, Molly Atkinson, Dan Cadle (part of mtg.), Peter Dawes, Bill Dow, Alison Espie, David Finlay, Tom Johnston, Gordon McKilligan, Robin Maitland, Brian Martin, Paul Timms, Owen Vaughan,

Observing: Alison Mitchell.

Council Officers Present: Linda Mathieson, Colin Miller.

Members of the Public: 1 (part of mtg.).

1 Apologies: Neil Buchanan, Calvin Little, Cllr. Debra Storr, Cllr. Michael Watt; Dan Cadle delayed – to arrive later.

2 Minutes of Meeting 25

Approved, subject to revision of Item 4 (ALOAF update): to clarify that the question relating to the mileage rate had been raised because of the high fuel prices at the time, July 2008.

3 Matters arising

None.

4 ALOAF update

(1) ALOAF annual report: approved subject to minor stylistic revisions. To be posted on website after 29/1/09 Infrastructure Services Committee Meeting (**action: CM**).

(2) Letter to ISC Chair: KT reported that the funding letter had been sent. Paul Timms advised that the change in the SNH funding regime was the result of a Scottish Government direction.

(3) ALOAF Leaflet (draft revised edition): approved subject to including date of publication, correcting list of members, and modification of reference to rights of way role (**CM to revise for consideration at next meeting**).

10(3) Access issue: Beech-hill Croft (brought forward in Agenda)

KT reported that, following investigation by the subgroup, he had sent to both parties (i.e. the owner and the party who had complained to ALOAF about the access obstruction) a draft of the proposed advice which ALOAF would be providing to Aberdeenshire Council. Both parties had responded. These responses were then reported by KT as he worked through the document for those present, with the assistance of a map of the site. This would enable the subgroup to take account of the comments, re-draft the advice document, and either send it to the Council direct or await a full ALOAF overview of the document. KT then used powerpoint to illustrate the issue. The Chair then called for comments, and discussion ensued on the following topics:

- Is the draft advice wording “commercial use” correct? Agreed that this should be changed to “industrial use”.

- Does the quarry's "storage" use have planning permission. It does at present.
- Long-term history of public access.
- Is there a privacy issue, with reference to s6(1)(b)(iv) of the Land Reform (Scotland) Act 2003?
- Is there a public right of way issue?
- Options for diverting the route (with reference to the separate sub-issues of house and Whitestones Quarry).

[Dan Cadle arrived during this part of the discussion]

The Chair proposed two options for taking the matter forward:

- (a) The subgroup to have delegated authority to finalise the advice.
OR (b) The full Forum to approve any revised advice at the next meeting.

TJ felt that the way forward was through discussion to work towards an agreement acceptable to both sides (the occupiers and the public). He recommended that the best course would be to seek a diversion within Beech-hill Croft's land. GMcK felt that time was needed to absorb the comments from the owner.

The Chair called for a land management representative to join the subgroup. Robin Maitland volunteered for this role.

It was agreed that the subgroup would consider the matter further, revise the draft advice, and then circulate the document by e-mail to all ALOAF Representatives for comment, with a view to finalising and despatching the advice before the next meeting. **Actions: Subgroup (RM, KT, OV) to re-draft and circulate; ALL to review and comment; Subgroup to finalise and despatch.**

5 Aberdeenshire Council Update

(1) Growth bids: LM reported that an earlier internal bid for £480,000-£580,000 had been rejected. Therefore the access bid for the year 2009/10 is £191,000, comprising £86,000 based on the average annual funding from SNH in previous years, plus an additional £105,000 for the Deeside Way and completion of the Formartine and Buchan Way at Brucklay. It is not known whether the bid will be successful.

(2) Other: For future path management, Council access staff are to look into assessment of path condition using combined video and GPS.

6 Core Paths Plan

LM distributed an updated provisional timescale, subject to forthcoming access staff appraisal of progress. It is hoped to put the Final Draft CPP to Area Committees in March. However, any unforeseen delay could result in this being delayed until May. The earliest date for commencing the 12-week statutory consultation is May. Consultation will be similar to the 2008 informal consultation, but this time it's formal. LM's paper also summarised the main

general and route-specific responses. Further advice from ALOAF may be sought on some issues.

7 Equestrian access leaflet

Work of the subgroup was praised. Draft text approved subject to clarification re effects on soft/wet ground; and addition of relevant website details – e.g. BHS; Scotways, so that people can consult court case reports. (**action: CM**). KT observed that some bullet points were rather lengthy. **Action: CM to do 2nd draft. Any further comments welcome.**

8 Plans, Strategies etc.

Aberdeenshire Council Strategic Priorities: Extracts from the relevant Council website pages had been included for information in the papers for the meeting.

Aberdeenshire Local Development Plan (ALDP): LM reported that access is being taken seriously in the Plan preparation. CM reported that the developer bids were now on the Council website [*note: see www.aberdeenshire.gov.uk/planning/localplan/ldpproposals.asp*]. Timescale for ALOAF comments to be resolved.

9 Annual Gathering

After consideration of CM's paper on options for the Gathering, PD observed that a different formula from that used in previous years might be considered. A workshop on funding was suggested, but it was questioned whether this was ALOAF's area of expertise. General support was expressed for a Saturday afternoon outdoor+indoor event comprising presentation from Richard Cooke (Convenor, NAF) and sessions on access re canoeing and cycling. On canoeing, Fishery Board participation to be invited. Re possible FCS input on cycling, **DC to investigate**. A Lower Deeside location was suggested (e.g. Durris Hall). **Other ideas welcome. Final decision to be made at 16/3/09 Meeting.**

10 Access Consultations, Issues etc

- (1) Menie – nothing new to consider.
- (2) AWPR – Public Inquiry decision not issued yet. Nothing new to consider.
- [(3) Beech-hill Croft – brought forward in Agenda (see above).]

11 Events, training, Information

A report by Ruth Riddell of AbOAF on the 22/11/08 recreational users' workshop had been distributed in the papers for the meeting.

12 AOB

Access and properties undergoing restoration: AE raised a question about LRSA access situations where derelict properties are undergoing restoration: may justify letter to NAF (**action: KT**). LM commented that where such a route was traditional, it might have public right of way status.

Response to SNH Paths Policy Consultation: A copy of the Council's response had been distributed in the papers for the meeting. LM apologised for not involving ALOAF, but the process had fallen between meetings. KT

had attended an Aberdeen City meeting and had submitted comments similar to those from Aberdeenshire Council.

Summary of results of Chris Anderson's Master's study of LAFs: This had been included for information in the papers for the meeting. CM thanked those ALOAF members who had contributed by completing questionnaires.

"Walk Homecoming": details had been included for information in the papers for the meeting.

13 Items for next meeting's agenda

Beech-hill Croft; Annual Gathering; CPP -- specific path issues (**action: L Mathieson**); possible LEADER briefing by Vicky Thomson (**L Mathieson to follow up**).

14 Date of next meeting

16/3/09.

The meeting closed at 8.05pm.