

## ABERDEENSHIRE LOCAL OUTDOOR ACCESS FORUM

### NOTE OF TENTH MEETING HELD ON MONDAY, 22<sup>ND</sup> MAY 2006 AT THE BARN AND BUSHEL, THAINSTONE CENTRE, INVERURIE

#### **Present:**

Ken Thomson (Chair)  
Councillor Jim Anderson  
Molly Atkinson  
Jim Brownlee  
Peter Dawes  
Cameron Ewen  
David Fyffe  
Alan Harper  
Tom Johnston  
Kelley Miller  
Brian Martin  
Tom Stewart  
Iain Taylor  
Owen Vaughan

#### **Council officers also present:-**

Keith Jones, Head of Law & Administration (North)  
Linda Mathieson, Environment Planner (Strategic)  
Colin Miller, Countryside Access Officer

#### **1. Apologies and Introductions**

Apologies were noted from Bill Dow, Councillor Jenny Watson, and Cath Clark, who had replaced Adam Streeter-Smith as the local representative of the Paths for All Partnership.

#### **2. Minutes of Meeting of 20<sup>th</sup> March 2006**

The Minutes of Meeting 9 held on 20<sup>th</sup> March 2006 were approved subject to the last two sentences in the second paragraph of Item 6 being split off as a new third paragraph.

#### **3. Matters Arising**

With regard to the item in the earlier minute on the Annual Gathering, the Chair confirmed that he had written to Nora Radcliffe MSP and that she had acknowledged the points that he had made.

With regard to membership issues (Item 5 of meeting of 20<sup>th</sup> March 2006), a number of issues had now arisen.

- Sadly the death had occurred of John Miskelly, Land Manager Sector, NFUS Reserve and that, accordingly, the NFUS would require to nominate a replacement. The meeting was advised that this would in all likelihood take place at the next regional board meeting of the NFUS.
- It was also advised that Ian Dunlop, who had represented Visit-Scotland on the Forum, had resigned in line with Visit-Scotland's policy of withdrawing from representation at all Local Access Forums, although it would continue to be represented on the National Access Forum. There followed discussion as to which

organisations should be approached with a view to the Forum selecting a new agency representative. Various bodies were suggested, including Historic Scotland, Scottish Water Enterprise North-East, SEPA, Scottish Agricultural College, Health agencies, Police. It was agreed that members should consider the matter so that a decision could be taken as to the way forward at the next meeting.

- With regard to the deemed resignation of Daniella Mayes, it was agreed that there was no need to replace her at this time, as there were still four Community representatives. However, there was a vacancy in terms of the Community Reserves and it has been agreed that a meeting would be held on Monday, 12<sup>th</sup> June 2006 at Gordon House, Inverurie in order to choose a reserve from the five current candidates. Information about the individuals nominated would be provided to Forum members.
- Cath Clark had now replaced Adam Streeter-Smith as Paths for All Partnership Officer for Aberdeenshire. She hoped to attend the July meeting of the Forum.
- The update on the Forum's work programme would be deferred to the next meeting.
- Badges had now been ordered for Forum members so that they could be identified when representing the Forum at meetings, etc.

#### **4. Communications**

Linda Mathieson reported that only one further "skills" response had been received from members since the last meeting and a number of members had still to advise as to interest and skills. The Chair exhorted those members still to respond to notify Linda as soon as possible of their position.

The Chair then invited comments on the draft leaflet that he had prepared and which had been circulated to members. It was agreed that this was a good first draft but that the final version would benefit from a map plus photographs of current members. Various minor changes were discussed in addition. It was agreed to keep to the folding A4 size format and Linda undertook to discuss design issues with the Planning Technicians. There followed some discussion on an appropriate logo to appear on the leaflet. Subject to approval by SNH, it was suggested that the National Access logo, which was in the form of a hand, should be adopted to appear, perhaps along with the Aberdeenshire logo. Kelley Miller undertook to send details as to approval and artwork formalities for the hand logo.

Correspondence was circulated between the Chairman and Sue Knowles relating to access issues, and in particular her interest with regard to horse riding. It was agreed to note the terms of the correspondence but that no other action was necessary.

Finally, it was noted that the website relating to ALOAF was not yet fully up to speed.

#### **5. Core Paths Plan**

Linda Mathieson advised on the current consultation sessions being held throughout Aberdeenshire. By and large, turnout to date had been limited and there was some concern that the local newspapers were not giving the issue advance coverage. At future sessions Aberdeenshire Council would be reducing the staff representation from the current 3 to 2, which would be adequate in view of the interest currently being shown. It was agreed that it would not be appropriate for the Forum itself to provide a response to the consultation at this stage, but that individual members could do so if they so wished.

#### **6. Access Advice**

##### **a) Kinneskie Fishings, Banchory**

The terms of the revised and hopefully final statement were agreed. Keith Jones advised that it would be in the interests of the Forum not to engage in further discussion or considerations of the merits of this matter with the complaining party, as this could be damaging to the credibility of the Forum.

**b) Location near Dyce**

It was reported that, as the owners had refused to accept the offer of dispute resolution assistance, no further action could be taken.

**c) Privacy Issues – Proposed Working Group**

At the request of Linda Mathieson it was agreed that a panel should be set up in order to provide generic advice on privacy issues to the Access Team at Aberdeenshire Council, particularly with regard to domestic privacy. It was also agreed that the panel initially consist of Molly Atkinson, John Brownlee and David Fyffe.

**7. Aberdeen Western Peripheral Route**

Colin Miller advised that not a lot had happened since the previous meeting with regard to the Forum's involvement and the consultation response letter drafted in late March by Peter Dawes on behalf of the Forum. Although a route had now been chosen by the Executive which involved a Dee crossing in the Milltimber/Maryculter areas, design details to allow consultation on issues such as access were still awaited. An environmental assessment was however expected by December. Peter Dawes recommended that access links be maintained within 500 metres of where a route is broken by the new road. It was agreed to liaise with the City Forum to assess its position in the matter.

**8. Nature Conservation Issues**

There was discussion on how the interface between nature conservation and access should be taken forward. Generally it was agreed that the Forum required to improve its own understanding of the matters, and then undertake a wider involvement including public debate. There was a suggestion that the July meeting could include a couple of speakers highlighting the issues. Owen Vaughan advised the need to learn the problems faced by Land Managers and others and that the rules need to be clarified. It was agreed that the matter would be further considered at the July meeting on the basis that a seminar would subsequently be appropriate, possibly jointly held as between the Council and the Forum, but that this would require to be separate from the normal Forum meetings. Thereafter a bigger public event could be planned for Autumn 2006 or early 2007.

**9. Events, Training, Information**

**a) SCAN Conference**

The Chair advised on the SCAN conference held at Birnam on 12<sup>th</sup> May 2006 which he had attended along with a number of Council officers. Most presentations had been excellent and covered various issues of relevance to the Forum including development of pathways, the relevance of the Structure and Local planning process, the relationship between Access Forums and local authorities which was not always as positive as in Aberdeenshire, Core Path planning, wind farms and indeed the Aberdeen Western Peripheral Route. Generally it appeared that both Access and Planning Officers had an overload of work. Those in attendance had agreed that their presence at the conference had been worthwhile.

**b) Proposed Field Visit – 24th July 2006**

Colin Miller advised that the meeting of 24<sup>th</sup> July 2006 would take the place of an afternoon session at which he proposed to look at conflict issues between access and livestock. He was currently in negotiation with a farmer based in the Methlick area to allow a visit for this purpose to his land. Should this not prove feasible, an alternative was a farm walk in the Gardenstown area.

**c) National Access Forum Information Reports**

These had been circulated.

**10. AOB**

**a) Scottish Outdoor Access Code – Monitoring Process**

There was circulated for monitoring a Form in connection with the Scottish Outdoor Access Code. There had also been an accompanying E-mail to the Chair regarding the monitoring process. It was agreed that the Forum would complete these on an annual, but not a quarterly, basis. Issues identified by the Aberdeenshire Forum included wild camping, field management issues, dogs, the proliferation of signs indicating such things as “Stalking in Progress”, “Stalking Deer” which were left up semi-permanently and were therefore misleading.

David Fyffe expressed the view that the weakness of the Code and Act is that individual cases are difficult to cover and that it is not for the Forum to put into words what had been left deliberately vague. There were a number of persistent offenders. There were also issues with regard to access over golf courses where rights were being abused by members of the public under some circumstances.

**b) SNH Leaflets**

The new Scottish Natural Heritage dog-walking leaflet and posters were circulated for information. This was one of the major issues which had arisen from the legislation. SNH also advised that it was looking at other leaflets to cover camping, kayaking, horse riding, etc.

**c) Review Questionnaire**

There followed discussion on the proposed revised Local Access Forum “Blue Book” guidance. The Chair commented that this consultation paper had only been received on 22<sup>nd</sup> May 2006 with a return date of 7<sup>th</sup> June 2006 which was totally unrealistic. The layout was not conducive to easy study or comment, being badly laid out and numbered. However, he undertook to deal with it by the due date.

**d) Position of Vice-Chair, Cameron Ewen**

At this stage Cameron Ewen advised that he intended to stand down as Vice-Chair as soon as someone was in a position to take over. He would take stock as to whether he remained as an active member of the Forum. The reason was purely pressure of work. It was agreed that the way forward would be to encourage nominations at the July meeting with the election of a Vice-Chairman taking place at the September meeting.

**11. Agenda Suggestions for Next Meeting**

It was agreed that items to be covered would include –

- (a) Autumn meeting with regard to conservation,
- (b) Work programme update,
- (c) Privacy guidance,
- (d) The Access Forum’s own leaflet,
- (e) Routine progress report on Core Paths Plan,
- (f) Access strategy list of 2006/07 projects,
- (g) Update on monitoring issues
- (h) Post-mortem on site visit preceding the next meeting.
- (i) Membership, including call for nominations for Vice-Chair
- (j) Progress report on AWPR.

**12. Date of Next Meeting**

As previously agreed, this would take place on Monday, 24<sup>th</sup> July 2006 at a venue to be confirmed, at 5.30 for 6.00 p.m., having been preceded by a site visit, 3.00 – 5.00 p.m.