

**Aberdeenshire Local Outdoor Access Forum  
Minutes of Meeting 58**

**5<sup>th</sup> October 2015 – Council Chamber, Gordon House, Inverurie**

**Present:** Hamish Booth, Ian Cowe, David Culshaw, Alison Espie (Chair), David Fyffe\* (acting SL&E Rep.), John Hughes, John Imrie#, Judy Middleton, Cllr. Patricia Oddie\* (*deputising for Cllr. Graeme Clarke*), Adam Wallace.

\* -- for part of meeting. # -- elected during meeting.

**Council officers present:** Marsaili Aspinall, Matthew Watt.

**Observers present:** Alison Mitchell.

	<p><b>Welcome</b> The Chair welcomed John Imrie, candidate Community Representative.</p> <p><b>Apologies</b> Mark Andrew, Joanne Dick, John Fyall, Gordon McKilligan, Chris York</p> <p><b>Deputising</b> Cllr. Oddie advised that her ALOAF role is now as Reserve to Cllr. Clarke who is now the Council Representative.</p>	
1	<p><b>Minutes of Meeting 57</b> Approved <u>subject to amendment of typo (AE /AF) and deletion of horse access comment (p2), (prop AW, sec JM).</u></p> <p><b>Matters arising</b></p> <ul style="list-style-type: none"> <li>• <b>Scottish Land and Estates (SLE) Representative</b> DF advised that due to illness Robin Maitland can no longer participate in the Forum. The new Rep will be Eilidh Mackechnie, SLE North East Regional Manager, with DF continuing as Reserve. <u>DF to advise on a suitable acknowledgment for RM's contribution to the Forum.</u></li> <li>• <b>A96 Dualling</b> Members of the Council's Transportation team had attended the first meeting of the A96 non-motorised users (NMU) forum. Access Officers, assisted by management, are pressing for greater recognition of the interests of ALOAF and of equestrian users. IC emphasised that the project is currently discussing corridor options, rather than specific routes. He recommended that ALOAF should put forward the NMU case for access both along the road (including off-carriageway) and across it; and suggested that ALOAF write to Transport Scotland and Aberdeenshire Council seeking support for ALOAF representation on the NMU forum. As ALOAF had not been invited to the first NMU forum meeting, it appeared that the consultation process was insufficient. AM reported that she had attended the meeting, on behalf of Ramblers Scotland, and had not found it useful. <u>The Chair noted ALOAF's support for the recommendation and proposed that she and MA draft letters accordingly.</u> Cllr. Oddie asked that the <u>Council letter be copied to Cllr. Clarke and herself.</u> She had observed that NMU concerns had been raised at the two consultation meetings she had attended. In conclusion, IC emphasised that the point of the consultations was to identify constraints, and thus it was important to highlight NMU needs.</li> <li>• <b>Buchan rail links</b> MW reported that transport links to Peterhead and Fraserburgh are at the pre-appraisal stage, with dates to be announced imminently for public meetings in late Oct/Nov 2015.</li> </ul>	<p><b>Action MA</b></p> <p><b>DF</b></p> <p><b>AE, MA</b></p>

	<p>ALOAF has lodged a note of interest in the consultation. <u>CY and JH are interested in forming an ALOAF sub-group to feed into the consultation process. MW will ask them to liaise with ALOAF to agree discussion/response points representing the Forum's view.</u></p> <ul style="list-style-type: none"> <li>• <b>Wild Fisheries Review</b> MA has drafted a response, noting that removal of the closed season could lead to conflict with other recreational use. <u>Agreed that the draft be circulated to Forum members for comment before the next ALOAF meeting so that the finalised version could be despatched within the timeframe.</u></li> </ul>	<p>JH/CY MW MA ALL</p>
2	<p><b>ALOAF administration</b></p> <ul style="list-style-type: none"> <li>• <b>Election of Vice Chair</b> Having been duly nominated, and there being no objections, <u>Hamish Booth was re-elected as Vice Chair.</u></li> <li>• <b>ALOAF rotation</b> <ul style="list-style-type: none"> <li>○ <b>Community Representative vacancy</b> The Chair invited <u>John Imrie, sole candidate, to introduce himself to the meeting; and he was duly accepted as a member of the Forum for the initial term of 3 years, following which he may seek re-election. Access Officers to supply him with ALOAF welcome pack, which includes the Operating Principles.</u></li> <li>○ <b>Land Manager Representative</b> <i>[see Matters Arising].</i></li> <li>○ <b>Rotation dates</b> Having reached the end of their current 3-year terms, and there being no objections, <u>David Culshaw, Judy Middleton and Adam Wallace all indicated they were willing to continue as ALOAF members. The Chair asked Access Officers to revise the list of re-election dates in order to readily identify forthcoming rotations. With recruitment problems in the City forum reported by AM, HB urged ALOAF members to continue their commitment.</u></li> </ul> </li> <li>• <b>Forum papers</b> To enable members to follow up points raised at meetings, the Chair asked <u>Access Officers to ensure posting of paper copies of the Minutes within 2 weeks of the meeting, and to ensure in the current instance that posting takes place by 21<sup>st</sup> Oct to ensure delivery by 24<sup>th</sup> Oct. She also asked for Agendas to be delivered with a week to spare before the meetings concerned.</u></li> </ul>	<p>MA/MW MA/MW MA/MW MA/MW</p>
3	<p><b>Future ALOAF briefings</b></p> <ul style="list-style-type: none"> <li>• <b>Police Scotland Wildlife Crime Officer</b> Mike Whyte, Police Scotland Wildlife Crime Officer, has agreed to talk at the 23/11/15 ALOAF meeting. <u>HB to chair meeting in absence of AE.</u></li> <li>• <b>Community Empowerment Act 2015</b> Cllr. Oddie will supply a <u>synopsis and link to this legislation; discussion could be agenda item for spring 2016.</u></li> <li>• <b>Giant Hogweed</b> Cllr. Oddie advised that along with other organisations the Council will be pursuing control of this invasive plant, which among other things is hazardous to access users. <u>She will keep ALOAF updated.</u></li> <li>• <b>Future speakers</b> In conclusion, the Chair noted that Ruth Riddell (British Horse Society), and Chris York remain on the list.</li> </ul>	<p>PO PO</p>

4	<p><b>ALOAF Activities</b></p> <ul style="list-style-type: none"> <li>• <b>Turriff Show</b> While noting positive feedback from the 2015 event, the Chair cautioned that the Forum needs to prepare earlier. She suggested that it was time for ALOAF to have a stand ready for use at any event. <u>Therefore she proposed a sub-group to progress this – herself and DC volunteering. Cllr. Oddie will approach Cllr. Clarke re his possible participation.</u></li> <li>• <b>LAF joint meetings</b> MW reported that Moray LOAF was keen on further joint meetings, and he raised the possibility of involving the Cairngorms LOAF. He called for <u>ideas for a Moray LOAF event</u>, e.g. Portsoy-Cullen coast, which it would good to progress soon. Similar options could be considered in south Aberdeenshire jointly with Angus LAF. The Chair noted that the minibus provided by Moray made the 2015 event possible and asked that <u>Access Officers look into provision of one for 2016, probably starting from Inverurie. She also asked officers to approach the Cairngorms LOAF.</u> Topics for joint meetings could include new major residential developments; A96 dualling (with A9 dualling a relevant precedent). IC saw potential for a 3-way ALOAF, Moray, Cairngorms meeting but suggested that each LOAF might best try to meet with a different [neighbouring] LOAF each year rather repeating the same collaborations annually which would exhaust topics of mutual interest. <u>MW to explore options and report back to next ALOAF meeting.</u></li> <li>• <b>Leaflets: Stone Circle; Pictish Trail</b> Cllr. Oddie provided the Forum with copies of these Council leaflets.</li> <li>• <b>Web site</b> The Council website has been revised to serve smartphone users who now create the majority of hits. MA suggested that <u>ALOAF members look at the revised ALOAF pages, with a view to revising the text to suit the recommended 10-12 years' reading age.</u> Any previous links to the web pages will have ceased to work, and members will need to re-establish them. Graphics will also need to be replaced. <u>Access Officers to check for any material still "locked down" during the process.</u></li> <li>• <b>Newsletter</b> The Chair stated that it was time for a new Forum newsletter, reflecting a busy year for ALOAF. With this in mind, she asked if <u>someone could take notes on Mike Whyte's briefing at the next meeting;</u> with other possible contributions including the joint Moray/ALOAF meeting, Sittyton farm visit, dog-warden briefing. Articles should be short and pithy. She will ask <u>HB to revisit this at the next meeting.</u> IC cautioned that articles should be written for a public readership, rather than for ALOAF members.</li> </ul>	<p>AE, DC PO/GC</p> <p>ALL</p> <p>MA/MW</p> <p>MA/MW</p> <p>MW</p> <p>ALL</p> <p>MA/MW</p> <p>?</p> <p>ALL HB</p>
5	<p><b>Aberdeenshire Council update</b></p> <ul style="list-style-type: none"> <li>• <b>Core Paths</b> Some maps are now on the Council website.</li> <li>• <b>Path management/maintenance</b> In expectation of further major funding cuts, and recognising that maintenance of the total path network would be impossibly expensive, Access Officers, Linda</li> </ul>	

	<p>Matheson and the Council's Landscape Services team have carried out a prioritisation exercise to make best use of a limited budget. Communities are not always aware of budget limitations. The Council is not legally required to maintain core paths, therefore proposed maintenance will include a mix of some core paths and other paths. The proposals will be reported to Area Committees at the end of October. This should result in a clear programme for proactive maintenance to be implemented by Landscape Services from 2016. Discussion followed on the challenges of path maintenance, including:</p> <ul style="list-style-type: none"> <li>○ Failed infrastructure – rural path, Newtonhill; closure for safety reasons prompted community voluntary action, but this raises issues of liability, equipment. <u>Possibility of a local funding source, which JM will indicate to community.</u></li> <li>○ Recognition of needs for routine maintenance (strimming, etc) and further non-routine works, e.g. fencing.</li> <li>○ Failed infrastructure – urban links, Westhill; closures in conflict with health agenda, yet issues of safety (deteriorating steps) and lack of disabled accessibility (due to outmoded design and constrained 1970s estate layout); lack of political awareness, lack of willingness by users to engage with the issue. Noted that new developments can integrate NMU access, e.g. involvement of Aberdeenshire (South) Access Forum at Chapelton for all-ability access.</li> <li>○ Routes designed for long life and low maintenance are more expensive, but can serve users for decades, or longer, with minimal costs over time.</li> <li>○ Capital funding is much easier to source than maintenance.</li> </ul> <p>MA anticipated that in the future some of these issues could be addressed by proactive monitoring. DF recommended that for one-off proactive tasks such as drainage, it would be worth comparing Landscape Services costings with prices from independent contractors. IC suggested that ALOAF might help interested communities by producing a leaflet listing funding sources, but AE cautioned that this may already have been done by others, e.g. Paths For All (PFA), on a nationwide basis. She suggested that if this is not the case, perhaps ALOAF could prompt PFA and the National Access Forum to progress this. MW noted that SRDP funding was being sought for upgrading core paths at one Aberdeenshire settlement. He supported the idea of communities taking the initiative, and felt that a list of funders would be useful to them. MA reported that the Area Managers' Top-up Fund would shortly be increased and was a potential source. AE was hesitant to commit ALOAF to a project that may already have been delivered by others. She asked the <u>Access Officers to report back on what guidance on funding sources is already available.</u> Finally, IC advised that the SRDP Forestry Grant Scheme has generous funding available for in-forest access, and that this is not subject to other SRDP constraints.</p>	<p><b>JM</b></p> <p><b>MA/MW</b></p>

6	<p><b>Access consultations, issues, etc</b></p> <ul style="list-style-type: none"> <li>• <b>National Access Forum (NAF)</b> A summary of the 30/9/15 NAF meeting was distributed. <u>HB and possibly AE to attend annual joint NAF/LAF meeting on 20/11/15. MW to check his own availability and will reserve places subject to allocation limits.</u></li> </ul>	<p><b>HB/AE MW</b></p>
7	<p><b>Upholding access rights cases</b></p> <ul style="list-style-type: none"> <li>• <b>Case summary</b> Access Officers reported the current caseload as 11 LRSA/SOAC, 4 core path, 10 rights of way (ROW) cases; with most LRSA/SOAC cases in north Aberdeenshire and most ROW cases in the south. Time required to resolve each case can vary from a few hours to many years.</li> <li>• <b>Ongoing cases</b> In response to a question from DC re progress, MA replied that the circumstances of the cases prevented her from providing details at present. MW reported on the Cornhill case, this being already in the public domain. When negotiation had failed, service of an s14 notice followed. This was appealed, with the result that a full hearing in the Sheriff Court is anticipated in 2016, subject to a procedural hearing which is due this week. AE remarked that this demonstrates that the Council as access authority has been giving due attention to the matter. However, she noted that s14 procedures have been little used across Scotland. MA said that the s14 process is deemed a measure of last resort. She also noted that FOI requests do not always supply the information desired by the public as legal advice is exempt.</li> </ul>	
8	<p><b>Events, training, information</b></p> <ul style="list-style-type: none"> <li>• <b>SNH Commercial Dog Walking guidance.</b> Several copies of the full 51-page version were distributed; the summary version having been included in the papers for the meeting. MA noted that the full version contained useful case studies, and that the guidance would be helpful also to rangers and dog wardens.</li> <li>• <b>Scottish Outdoor Access Network</b> Next meeting is in November. <u>MA to forward details.</u></li> </ul>	<p><b>MA</b></p>
9	<p><b>AOB</b></p> <ul style="list-style-type: none"> <li>• <b>Aberdeenshire Woodland and Forestry Strategy (AWFS)</b> HB had attended the public engagement meeting at Banchory on behalf of Torphins Community Council. He reported that the thrust of the Strategy is to increase the amount of woodland, with its wide range of benefits from commercial timber production to recreation and effects on climate change. In discussion, the Forum noted that the consultation questions had proved difficult for the general public to grasp, and seemed more appropriate for forestry stakeholders. IC urged ALOAF to respond, bearing in mind its sphere of interest, as access and recreation are included among the main issues. Ideally, responses should be received by 14<sup>th</sup> October 2015. IC advised that it is not necessary to be restricted by the format and terminology – attention to the relevant questions</li> </ul>	

	<p>only, or alternatively a free-ranging response, will be equally acceptable. It would be useful to quote examples of good practice. Responses to this regional strategy will inform the national Scottish Forestry Strategy which is to be re-drafted in the coming year. <u>Access Officers to circulate the AWFS consultation document. AE and HB encouraged members to respond.</u></p> <ul style="list-style-type: none"> <li>• <b>Shared use paths</b> DC distributed a Sustrans Scotland A4 note “Polite Path Users” encouraging mutual consideration by all users. He wondered if ALOAF might consider producing a leaflet based on this, perhaps as a City/Shire LAF project. <u>JH volunteered to prepare an initial draft.</u> AE asked if the Council can supply or produce appropriate signs for ALOAF to distribute. MA confirmed that this is possible but cautioned against proliferation of signs.</li> </ul>	<p><b>MA/MW</b> <b>ALL</b></p> <p><b>JH</b></p>
10	<p><b>Future meetings</b></p> <ul style="list-style-type: none"> <li>• <b>Dates</b> 23 November 2015; 1 February, 9 May, 27 June, 3 October, 21 November 2016 (reflecting 2015 pattern).</li> <li>• <b>Venue</b> 23 November will be ALOAF’s final meeting at Gordon House, as thereafter it will no longer be available for evening meetings; <u>hence a new venue must be found, preferably in Inverurie – suggestions sought for discussion at next meeting.</u></li> </ul>	<p><b>ALL</b></p>