

Aberdeenshire Local Outdoor Access Forum
Draft Minutes of Meeting 49
Monday 25 November 2013
6.00pm Council Chamber, Gordon House, Inverurie

Present: Alison Espie (Chair), Hamish Booth, Gordon McKilligan, Robin Maitland, Judy Middleton, Alison Mitchell (deputising – Access User), Jenny Spratt, Adam Wallace.

Council officers present: Linda Mathieson, Piotr Gudan, Matthew Watt.

Observers present: Mark Andrew (RAFTS).

	Welcome, introductions and apologies	Action
	<p>The Chair noted that although the meeting was not quorate, any decisions could be presented for ratification at the next meeting. The Chair welcomed Piotr Gudan, the Council's newly appointed Access Officer South.</p> <p>Apologies: Iain Cowe, David Culshaw, Drew Elphinstone, Calvin Little, Cllr. Patricia Oddie, Chris York.</p>	
1	<p>Minutes of Meeting 48 & Matters arising Approval proposed GMcK, seconded JM.</p> <p>Matters arising: <i>Item 2 – Paths For All</i> Linda to follow up on future liaison prospects.</p> <p style="padding-left: 40px;"><i>-- Newsletter</i> is awaiting the finalisation of the ALOAF logo before going for reprint.</p> <p><i>Item 7(5) – Wildlife Crime Officer presentation</i> – not yet followed up.</p> <p><i>Item 8</i> – Bervie Braes – no new information.</p>	<p>LM</p> <p>LM</p> <p>LM</p>
2	<p>ALOAF Administration <i>Land Manager rep</i> – The expected press article seems not to have appeared. LM to find out whether the Council's Communications team has supplied it to the media. If not, the position will need to be re-advertised with a new closing date allowing presentation of candidates at the February 2014 ALOAF meeting. If so, potential candidates should not be approached until then, thus ensuring availability of the opportunity for all. GMcK is aware of one party who may be interested.</p> <p>ALOAF logo – Two versions were examined. It was agreed that the topmost version should be pursued, using the purple-green-blue gradation, subject to the following changes: (a) change "sea" to "water"; (b) move the mountain profile further to left ("west") allowing more room for the "eastern" lowland area; (c) use thicker line; (d) use two tones of blue, symbolising inland water and sea. A proposal to include yellow for arable land was deemed potentially too complicated.</p>	<p>LM</p> <p>LM</p>
3	<p>ALOAF Activities <i>Regional LAF meeting – CNPA offer</i> -- CNPA are willing to organise meeting, but the Forum agreed it would be best to arrange it for May 2014, possibly at The Lecht. LM to pursue this.</p>	<p>LM</p>

Joint NAF/LAF meeting 5th November – feedback -- The Chair and LM attended the meeting in Glasgow. The Chair reported that a study mentioned in the keynote address showed that outdoor exercise had been found to be more beneficial to health than the same amount of exercise expended indoors. Government is keen to promote outdoor exercise in synchrony with the 2014 Commonwealth Games. The Chair took part in the workshop on commercial access. They first had to distinguish between the characteristics of “commercial” and “intensive” access, which are not necessarily the same thing. Work is underway to produce the needed guidance. She felt that the emphasis should focus on access users now rather than land managers. Charity events can be problematic due to lack of awareness by organisers of their responsibilities. The Chair felt that there might be a role for ALOAF in this matter. Another aspect noted from the meeting was the vast increase in numbers of commercial dog-walking enterprises. LM participated in the workshop on LAFs, and had supplied notes as part of a paper before the Forum. A number of LAFs were struggling, although hopefully the circulation of information on fellow-LAFs as a result of such Joint Meetings might be encouraging. Possible reasons for decline included lack of local authority resourcing (leading to less meetings and less effectiveness), reduction in access officer resourcing, completion of Core Paths Plan effort leaving a vacuum, and also the fact that the first wave of enthusiastic LAF recruits had completed their terms of office. Site visits had achieved mixed levels of success. RM endorsed the idea of circulation of LAF Minutes to Community Councils as one means of communication within the “Community” sector. In this respect, LM thought that contact with Dumfries and Galloway LAF Chair Peter Ross might well be worthwhile. The Chair noted that ALOAF had been fortunate in having the continuity provided by LM’s involvement. JS observed that having the 4 sectors participating kept ALOAF vibrant.

East Grampian Deer Management Group – feedback -- AW reported on the November meeting of the Group. Of general interest to ALOAF were (a) the success of the Hillphones scheme in the Mar area, and (b) the dichotomy between desirable densities of red deer for traditional deerstalking on the one hand and for natural regeneration of woodland on the other. The perceived solution – fencing -- poses potential difficulties for access.

Aberdeenshire Regional Land Use Pilot -- As Chair of ALOAF, AE had attended workshops led by the Council and the James Hutton Institute (JHI), Aberdeenshire being one of two pilot areas for developing a guidance framework for decision-making on land use. LM explained that the Scottish Government seeks to achieve this at regional level in a manner which not only reflects land capability, but also meets land manager and social expectations and policy targets, which in turn could help (for example) to inform future SRDP schemes. The focus of the Aberdeenshire pilot is how land is used at present and on future climate change. JHI is investigating how small an area can be effective within an ecosystem approach. The pilot is at

	the baseline mapping stage, and is now seeking input from recreation interests, land managers, etc. Meetings with NFUS and SLE are proposed. A “Constraints and Opportunities” workshop is proposed for April 2014. AE noted that in addition to land use and capability maps there are “unmappable” dimensions to the topic. LM advised that a report is in preparation, and can be circulated to ALOAF members. Target date for a framework is March 2015.	
4	Upholding Access Rights Cases -- update Discussion of casework – closed session for confidentiality reasons. <i>[Minuted separately as a confidential paper for ALOAF members].</i>	
5	<p>Aberdeenshire Council Update</p> <p>(1) Core Paths update & (2) Path Survey and assessment: LM advised that Council staff are to meet on 26th November to discuss these matters. Meantime she cannot share content with ALOAF until management has had an opportunity to consider. LM is intending to resume providing ALOAF with a list of ongoing Council path works. The cost of maintaining the existing Council paths network is estimated as £700,000/year, including routine maintenance, non-routine maintenance, and necessary upgrading. This does not include bridges. The current budget is £100,000. A paper will be prepared following the 26/11/13 meeting, to put to management on 4/12/13. The figures do not take into account establishment of new paths. The Council therefore has a dilemma, which will not be helped by further austerity measures expected in 2015. In discussion, HB asked if local communities could engage in paths maintenance. LM agreed that this is a possible mechanism, but is dependent on well-organised voluntary effort and still needs ongoing Council management. MW added that Community Justice Teams can also be involved, but this also involves management input by the Council.</p> <p>(3) New Access Officer South: PG (having been introduced earlier) briefly described the area he will be covering.</p> <p>(4) Feedback from SOAN meeting: MW had attended the 4/11/13 Scottish Outdoor Access Network (SOAN) meeting in Dundee, on the theme of “Tools and Techniques for Managing Inappropriate Behaviour in Busy and Populous Areas”. Topics included:</p> <ul style="list-style-type: none"> • Dogs – the Dogs Act; success of “Green Dog-Walker” scheme in Forfar, promoting responsible owner behaviour. • Park management – in council-owned parks, Edinburgh City’s change from the traditional rules and regulations to a less direct system; now introduced management rules preventing camping within one mile of a road (but manpower for enforcement is a problem). Has taken 5-6 years to bring about. • Community Safety Groups – Dundee’s multi-agency group collaboratively tackling (e.g.) illegal motorcycle use. • Anti-social wild camping – Loch Lomond and Trossachs National Park byelaw enforcement on east Loch Lomond-side with associated media campaign, and formal campsite options elsewhere, is improving the situation. Expensive and labour-intensive, but effective. <p>It was reported that there is to be a British Horse Society meeting in</p>	<p>LM</p> <p>MW</p>

	<p>Inverness on multi-use paths; and on surfaces suitable for horses.</p> <p>(5) LRSA Monitoring: Considering the Government's summaries of LRSA monitoring to 31/3/13 as supplied to the Forum, the following comments were made:</p> <ul style="list-style-type: none"> • LM noted that the number of Section 14 Notices had tailed off significantly, commenting that they had proved very labour-intensive and had not always produced the desired result. • AE was disappointed to see the steady decline in numbers of Access Officers. <p>LM advised that the Government's proposed Walking Strategy, due out in 4-5/2014 expects local authorities and LAFs to be big players but offers no additional money for this.</p>	
6	<p>Access Consultations, Issues etc</p> <p>LAF Questionnaire – A copy of Aberdeenshire's submission was supplied to the Forum.</p> <p>Haddo – Rules for Equestrian Use – Members were supplied with (a) the existing rules for equestrian use of Haddo Country Park; (b) correspondence from Chris York with comments from Mark Andrew and information from Graham Wall; (c) extract from Section 6(1) of LRSA regarding payment by access users. MA reported that the Haddo Country Park Riding Club had been in existence since the 1970s and charges a joining fee but no annual charge. There is now a problem due to irresponsible riding by non-members (e.g. damage to newly-built path surfaces; conflict with other park users at busy times). The Club is seen as a vehicle for the desired education of riders. Non-members seem unaware of the club's existence, and Park byelaws have lapsed. MA felt that it would assist in the management of the Park if ALOAF were to support a proposal to require membership of the club, possibly reinforced by a byelaw. LM advised that ALOAF needs to be careful in what it can and cannot do. MA emphasised that the proposal concerns the Park area only. AE commented that prior to the access legislation (LRSA), riders would have welcomed such rules. LM advised that the key question is one of compliance with LRSA. There was discussion on whether the fee charged was a payment for use (in which case s6(1) would apply) or an administrative payment. LM did not feel competent to advise on this. MA advised that the fee was a one-off amount of £5 and is still in effect. Starting originally as an opportunity for families, there are now some adult members who ride at inappropriate times and fail to pick up after themselves. Control is difficult as identities are generally not known and offenders have to be caught in the act. The Chair asked how it would help the situation if ALOAF were to endorse a requirement for club membership, is this because at present HRC members do not have any influence over non members who are riding irresponsibly? MA felt that it would then become self-policing, especially if riders wore an identification visible to park staff, and if imposed as a byelaw or rule. The Chair asked whether staff could not already ask riders to abide by SOAC. However, there is an issue at weekends because staff are not present. LM considered that the present Club rule preventing riding at certain times was not compliant</p>	

	<p>with LRSA, although this could be resolved if worded differently (emphasising responsible behaviour instead of time limitations). In response to a query by JM, MA said that they cannot promote the existing rules unless they are backed by a rule or byelaw. LM asked if MA or the Council's Graham Wall (GW) had consulted with the British Horse Society (BHS). LM offered to suggest to GW that he do so. This might, for example, lead to a recommendation by BHS that people join the Club. JS asked if signs would help, but MA was concerned that there was already a large amount of signage at the Country Park. At this juncture, the Chair asked if the Forum wished to support the "Riding Club" proposal. LM pointed out that legal advice would be necessary on the question of compliance with s6 of LRSA, as would the possible introduction of rules. A further option, she said, would be a process in which people are encouraged to sign up to voluntary rules. There was consensus on the Chair's wording that ALOAF would like to support the strengthening of the rules. LM said she will check the legal situation and also discuss with Graham Wall, as it will be necessary to ensure compliance with LRSA. MA concluded by saying that the Riding Club's fee arrangement had been in place throughout its long existence.</p>	LM
7	<p>Events, Training, Information</p> <p>(1) National Access Forum Papers – A summary of the NAF Meeting of 1/10/13 had been included in the ALOAF papers.</p> <p>(2) Commercial dog walking – SNH event January Council Ranger David Brown will be supplying LM with feedback on a 28/11/13 meeting on this topic. SNH and SOAN are organising a free workshop on dogs on 29/1/14 for access professionals. As the Council will be attending, ALOAF members interested in a space in a car should contact LM.</p> <p>(3) Chapelton of Elsick Newsletter The first issue of "Chapelton News" has been brought to the Forum's attention. LM will circulate a weblink.</p> <p>(4) Workshop: Focus of ALOAF activity 2014 – The Chair reminded members that it is relevant now to explore what people want from ALOAF. Also, there is a need for a facilitator for the workshop. LM offered to look for one. In terms of focus, the Chair felt that there should be more attention given to responsible behaviour by access users in particular, and that this topic could give rise to a few initiatives (with scope for exploring at the possible regional LAF meeting). She asked if the ALOAF workshop should be part of a regular meeting or a separate event. GMcK felt that any path development options in the future SRDP scheme (due in place sometime in 2014) would help guide ALOAF, but the timescale had slipped. The picture may be clearer after a planned consultation in spring 2014. LM thought that access may not be high on the SRDP agenda. AE remained keen to highlight responsible access, especially commercial access, equestrian issues, and dogs. JM saw a need for an additional topic – responsible land manager behaviour towards those using access on water. On this topic, LM had attended a practical session on hand-signal communications between anglers</p>	LM

	<p>and canoeists. The message can easily be conveyed via information in fishing huts and disseminated via paddle-sports clubs, but it is difficult to reach individual canoeists. She is hopeful of further progress now that Joanna Dick (Dee Catchment Outreach Officer) is in post. The Chair agreed to add water-related access to the list of workshop topics. RM asked about dissemination of information among communities, which LM explained was the query raised by CY as to how Community sector representatives were to communicate with their “constituencies”. LM noted RM’s suggestion about sending ALOAF Minutes to community councils. The ALOAF Newsletter could be circulated likewise. LM observed that 3 options were possible for the scheduling of the workshop: (a) part of a regular meeting; (b) a separate event; (c) part of an extended regular meeting. LM offered to approach the James Hutton Institute (JHI) for 2 facilitators, due to the JHI’s involvement with the social sciences. In discussion, it was agreed to schedule the workshop within the February 2014 meeting.</p>	LM
8	<p>AOB FCS leaflets -- LM advised that two new FCS access-related leaflets -- “Managing Woodland Access and Forest Operations”, and “Managing Public Safety on Harvesting Sites” -- had recently been published. Paths For All Newsletter – LM can e-mail a copy on request. Duke of Edinburgh Award (DofE) campsites – LM reported problems on some estates in the CNP area due to litter and to not informing estates of groups visiting. JM described this as a honeypot situation, with groups coming from all over Britain. LM advised that numbers of groups have increased many-fold in recent years. With some schools now sub-contracting DofE management to commercial providers, JM was concerned that this could result in a lowering of standards. SOAC advises contacting the landowners. AE was concerned that this does not always happen. JM said that such contact should be at least 4 weeks ahead of the visit, but groups from further afield do not always contact the local DofE supervisor. She also noted an instance of a landowner being concerned about liability if they were specifically to give permission for such groups. AE had noted from the NAF/LAF meeting that there was a general problem with groups (not specifically DofE) seeing Scotland’s access legislation as providing a free-for-all opportunity. With regard to DofE groups, LM added that the message from the CNP area was that landowners did not want to be asked permission, but did want to be informed of proposed visits.</p>	
9	<p>Dates of next meetings: Agreed dates in 2014 -- 3rd February; 12th May; 23rd June; 6th October; 24th November.</p>	