Aberdeenshire Local Outdoor Access Forum

Minutes of Meeting 52

23 June 2014 – Council Chamber, Gordon House, Inverurie

Present: Hamish Booth, Ian Cowe, Alison Espie (Chair), David Fyffe, Gordon McKilligan, Alison Mitchell, Adam Wallace, Chris York.

Council officers present: Linda Mathieson, Matthew Watt.

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	Welcome: The Chair reported that the desired venue for the present	Action
	meeting had proved too costly; other future venues still being sought.	
	Apologies: David Culshaw, John Hughes, Robin Maitland (DF	
	deputising), Judy Middleton (AM deputising), Cllr Patricia Oddie. Also	
	Piotr Gudan (Council officer). Notifications of late arrival from	
	Geordie Burnett-Stuart (did not appear) & Chris York (arr. 1830).	
	debraie Barnett Otdart (ald not appear) & Onits Fork (art. 1000).	
1	Minutes of Meeting 51: Approved G McK, seconded AW. LM noted	
	that the reference in Item 1 to a sub-group was incorrect, and should	
	have referred instead to CY consulting with the Minutes Secretary.	
	Matters arising: <i>Item 2 – Scotways Rep:</i> LM: Scotways can source	
	ALOAF Minutes from the Council website; <i>Change to Operating</i>	
	Principles – LM: this requires formal modification; deferred to	
	October or November meeting for consideration with any other related	
	matters. <i>NHS Rep:</i> Hopeful prospect of active participation; contact	
	known to AM and LM (action – LM);	LM
2	ALOAF administration	
	Membership update retrospective approvals – Chris	
	York, John Hughes, Gordon McKilligan: unanimous	
	approval; formal decision deferred to next meeting as not	
		1 8.4
	quorate. LM to consult all reps. for endorsement.	LM
	Update Operating Principles, Appendix 2: deferred pending	
	arrival of CY.	
	 Updated leaflet/Newsletter: New edition of leaflet available at 	
	meeting for distribution; print run 1000 – members pleased with	
	the minor changes to the logo. IC advised that the FCS	
	Reserve is now Jim Dewar, replacing Dan Cadle. Due to	
	Council workload, it was agreed after discussion that an	
	updated version of the existing Newsletter be prepared for the	
	Turriff Show, likewise for the ALOAF web pages. AM advised	
	that references to "Chapelton of Elsick" should be altered to	
	"Chapelton", reflecting preferred usage by the developer. LM to	LM
	check with graphics team re updating. Completely new edition	
	to be discussed at November meeting.	
	• Banners and gilets: IC recommended a source for banners.	
	DF urged that these be stitched to provide sleeve top and	

	bottom to allow threading of battens to maintain rigidity. Consensus that at 2013 Turriff Show, ALOAF personnel were not distinctively identifiable. Agreed to order gilets with blue or	LM
	green colour from logo palette and logo itself should be prominent. Badges with logo to be arranged.	LM LM
3 A	ALOAF Activities	
	 Brainstorming feedback/Work programme for 2014: The Chair noted papers for the meeting by Council Access Officers MW and PG from workshop at Meeting 51. Topics covered in discussion at the present meeting: Venues: agreed that the next meeting needs to be at another venue. Huntly offers a variety of public-interest projects. CY mentioned two possible venues in Tarves – MW to investigate further, with CY assistance. ALOAF new member education/induction: recognition that this is not happening at present (beyond supply of some relevant literature) and needs to be upgraded. LM noted a need to advise new members on their role as Forum members. Key components suggested:	MW/CY
	 AE: Longer-serving members could fulling a mentoring role. AM: Glossary of group acronyms. AM/LM/CY: Biographical membership directory on website to be consistent. Expenses form. LM/CY: List of community councils. IC: purpose of the Forum should be bullet-pointed. LM noted that sections of LRSA and SOAC cover this. 	
	 MW to action. <i>Existing members:</i> The Chair reported that she had introduced "ALOAF Briefing" as a standing agenda item, for people to advise members about their own access-related work. (CY: supportive but should be brief). <i>Themes for future ALOAF work:</i> Responsible access; dogs; educating children; raise awareness of funding sources (agreed best source for up to date funding information is existing SNH web page); <i>Themed meetings:</i> Whether to plan themes for meetings or to await themes as they emerge (e.g. dogs, horses)? IC favoured waiting for emergence of theme and then focussing on ways forward; e.g. dogs; Haddo. DF recommended inviting best-practice promoters, including innovative ones, to brief ALOAF. AE suggested that the November meeting could invite an SNH officer regarding their dogs initiative. GMcK suggested a site visit to Pitfour (Mintlaw) to view recent 	MW

	 access developments – Chair suggested this best take place in spring 2015 when sufficient daylight. Access checklist for developers and community councils: Responding to a query from GMcK, LM advised that distribution had been postponed to ensure consistency with the Council's Local Plan Supplementary Guidance (in preparation) but that the current version could be sent to community councils along with the revised Newsletter. Action: LM. 	
		LM
	 Joint LAF Meeting with Moray: Proposed for September 2014 on the Deveron Way; opportunity to share interests and ideas with view to keeping LAFs active and motivated. IC recommended invite Huntly Development Trust. One focus could be long distance paths. LM/IC suggested September. LM to consult members whether weekday/weekend and time of day. 	LM
	 Turriff Show – theme/focus: MW/LM to focus on responsible outdoor access, also health and health walks; Piotr Gudan on dog-related issues (later in meeting it was reported that the 	MW/LM PG
	Green Dog Walkers are happy to help at the stand). Agreed the following items for the event: quizzes, 2 more leaflet stands, lapel badges, information on Ramblers' groups. Will be combined stand with FCS (FCS contact: Claire). FCS theme: rural employment and skills training for work in the countryside.	LM AM
	LM to draw up staffing rota.	LM
4	Upholding Access Rights Cases – update	
-	 Loch of Skene – dog issues: Dunecht Estate seeking advice/assistance over increase in dog-walkers parking at Loch of Skene gate lodges with increased dog-fouling. PG to meet with estate ranger on 30th June, and Council dog wardens are on board. Pilot awareness-raising group to be formed and monitoring to be implemented. IC said that PG would be welcome to discuss with Emily Holmes of FCS re her experimental work at Countesswells. CY supported the idea of FCS making the results of this work available to practitioners. LM keen to find out the reason for the increase in dog-walking visits to Loch of Skene. 	
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5	A day in the life of an Access Officer: from MW (Council's	

	resolvable by discussion among the parties concerned; others may go to legal process but this is very costly and with limited resources the degree of public benefit needs to be taken into account. In discussion, DF raised the question of limited funding despite goals of community empowerment, health and wellbeing, "green" aims. MW agreed that this is a problem, exacerbated by government encouraging access initiatives, which he tackles by emphasising that although the Council can assist with path feasibility work for new initiatives, it's up to communities to do development and ongoing maintenance. Noting these constraints, especially if the Council's legal team cannot always help, DF suggested that LAFs are the right groups to lobby MSPs for adequate funding. GMcK drew attention to the need to find ways to defuse issues (e.g. disputed motorised access) before they become hugely contentious. In response to a question from AE, MW said that the majority of access enquiries come from access users (mainly concerning obstruction and maintenance) rather than land managers. LM commented that in south Aberdeenshire the proportion of land manager enquiries tended to be higher than in the north. Situations arise where acceptable land management practice is in conflict with access user wishes. Lots of neighbour issues occur. LM added that a further funding squeeze is expected, while officers are arguing for sufficient funding to maintain paths etc for which the Council itself is responsible. Following a suggestion by GMcK the idea was suggested of e-mailing Newsletter to MSPs with an invitation to visit the ALOAF stand at the Turriff Show, emphasising the funding issue and, for example, asking them to make sure that the SRDP funding is spent effectively.	LM
	Topics/Individual for October and November: already	
	covered in the present meeting.	
	[no item 6]	
7	Aberdeenshire Council Update	
	(1) SOAN Workshop for LAFs – feedback: Results of the 28 th	
	May workshop were summarised in a paper supplied to the meeting. LM observed that ALOAF's activities cover a wider field than other	
	LAFs. She noted 3 main points:	
	 In court cases, sheriff may take view that LAF advice is not 	
	independent of Council. ALOAF is unusual in that it maintains	
	transparency and independence, e.g. not requiring presence of Council officers at site visits; selection of representatives by	
	Forum members themselves.	
	Only ALOAF meets more than 4 times per year, thus keeping	
	momentum. In discussion at the present meeting, CY asked	
1	how members felt about the effectiveness of ALOAF. LM	
	advised that the present lack of access cases coming before	

	 the Forum was not a suitable indicator, as most cases were being handled by the Council. She proposed to bring a list of the cases to the Forum for information. GMcK felt that educating the public was time well spent. LM noted the positive external perception of ALOAF's work, while the Chair commented on the Forum's successful record in assisting the Council with the Core Paths Plan and a number of access cases, which could now change to a new focus. Dissemination of information to community sector peer group is something which ALOAF could seek to optimise next time that a vacancy occurs. 	LM
8	Access Consultations, Issues etc	
	 Haddo – Rules for Equestrian Use: MW had originally received Council legal advice that the proposed rules, requiring a one-off club membership payment from all riders, were acceptable under LRSA s6.1(f). However, following concern expressed by the Council's access group, the legal team suggests that the Haddo group should seek independent legal advice. CY summarised the background to this issue, and expressed his concern about potential incompatibility with LRSA and that in view of the relatively small incidence of equestrian issues at Haddo, the imposition of management rules seemed disproportionate. Forum discussion swung between support for rules which encouraged responsible access behaviour and opposition to rules requiring membership of a club because the access legislation and SOAC itself is founded upon the concept of responsible access for all. IC did not see how ALOAF could support compulsory club membership. No firm conclusion was reached in discussion, but there was a tendency to veer away from charges and favour more emphasis on encouraging responsible behaviour, with club membership presented as a voluntary option. The Chair noted lack of time for further discussion, and an absence of representation from Haddo and suggested it be kept on the agenda for the next meeting. LM noted the need to get all parties together. 	
9	Events, training, information	
	 (1) National Access Forum Papers – Update/Core Paths Paper/Review of Operating Principles: relevant papers supplied to meeting. (2) Deer Management Group: AW reported that proposed fences at Mar Lodge may raise issues, but LM noted that this was a 	
	matter for the Cairngorms National Park as access authority.	
	(3) Paddlers Meeting feedback: not discussed (lack of time).	

	(4) LRSA Review published: relevant paper supplied to meeting.	
10	A.O.B: <i>"Riders in a Storm":</i> DF drew the Forum's attention to this article in the "Scottish Field" which reported concerns over access problems experienced by equestrians. He felt that one negative experience had been used to castigate all land managers. AE agreed that the article's approach was not constructive. SLE has sent a letter of rebuttal, reporting on positive progress on access. He will keep ALOAF informed of any response. If the article had featured Aberdeenshire, he felt it would be a matter for discussion by the Forum. LM observed that the article did reflect that equestrian access users experience more obstruction than others, but this was not well put, and equestrian users did not always adopt the best approach.	DF
11	Dates of next meetings for 2014: 6 th October, 24 th November.	