

Aberdeenshire Local Outdoor Access Forum
DRAFT Minutes of Meeting 40
6th February 2012 – Council Chamber, Gordon House, Inverurie

Present: Bill Ashcroft, Hamish Booth, Dan Cadle, David Culshaw, Cllr Isobel Davidson, Drew Elphinstone, Alison Espie, John Hughes, Gordon McKilligan (Chair), Judy Middleton, Douglas Williamson.

Council officers present: Linda Mathieson, Kevin Wright.

	Apologies, introductions, deputisings	Action
	Apologies: Calvin Little, Chris York, Robin Maitland, David Findlay	
1	Minutes of Meeting 39 and matters arising	
	Acknowledging that “possibly” in Item 7 (2) should read “possible”, the Minutes were approved by AE, seconded by DW. Matters arising: LM advised that 2 items would be covered later.	LM
2	ALOAF administration	
	2(1) RAFTS – Observer Member: LM reported that Mark Bilsby of the Dee District Salmon Fisheries Board will liaise with RAFTS and other fisheries trusts, and they will nominate an ALOAF observer.	
	2(2) SNH – Alistair Watson replacement: LM reported that AW has moved on from SNH. Due to the number of local access forums in the north-east, and recent staff losses, SNH’s Ewen Cameron has advised that, as there is currently no access lead officer, he will be the local SNH access contact for the time being. The Chair observed that it appeared that there would be no clear answer for a long time.	
	2(3) Review of Operating Principles: Noting that the last review was in July 2008, the Chair asked if any changes were sought. As no procedural changes were suggested, LM advised that it would not be necessary to update the signatures on the document. Editorially, ID advised that in Section 6.0 the title “Director of Planning and Environmental Services” should be updated to show the current job title. The requirement for a decision sheet to be issued after Forum meetings (Section 5.1(v)) was noted and this would be fulfilled henceforth. Regarding a reference by the Chair to Section 3.2 (Reserves), LM said that Reps had generally been good at arranging for Reserves to deputise when necessary. Other than Alison Mitchell (Access User Reserve), Reserves had not been exercising their freedom to attend meetings as observers. LM said that where relevant she could do a note encouraging such attendance.	LM
	2(4) Membership Rotation: Re the “Membership Rotation Appraisal” paper before the meeting, the Chair and Vice Chair both indicated their willingness to continue for a second term. LM advised that ALOAF Members’ responses to a pre-meeting consultation all	

	<p>favoured this. No objections were tabled.</p> <p>Bill Ashcroft confirmed his previously indicated wish to step down with effect from the end of the meeting. It was agreed to recruit a replacement Community Rep. Thanking Bill for his service to ALOAF, LM later advised that recruitment would be via the ALOAF mailing list and the Press. Candidates would put themselves forward at the May meeting, subject if necessary to a shortlisting process.</p> <p>HB, D Culshaw and JM all indicated their willingness to continue.</p> <p>Cllr Isobel Davidson advised that, as the May ALOAF meeting followed shortly after the Council election, Committee appointment of an ALOAF Representative would not by then have taken place. Consequently there would be no Council Representative in post to attend the meeting. JM noted ID's consistent attendance on behalf of ALOAF at its meetings and at the 2011 RNCI event.</p> <p>LM reminded the meeting that Agency sector ALOAF members (e.g. FCS, NFUS, SLE) were appointed by their agencies and their terms continued until reasonable notice was given of any change.</p>	LM
3	ALOAF activities:	
	<p>3(1) Path Development – Community Support Stonehaven Workshop Tuesday 29th Nov. Feedback and dates for March: It was felt that the Stonehaven programme had been a success. It was well attended, and found to be useful and informative. The comfortable venue encouraged communication. The Paths for All Partnership was also impressed. One group in particular had been inspired to extend their interests to include more paths locally. JM suggested two enhancements for the next workshop: (1) more time for networking; (2) distribution of a workshop evaluation form. A follow-up survey by LM had received little additional feedback.</p> <p>Looking to the next workshop in March, LM reported that there was already a good range of interest, with currently 16 attendees for 15 organisations. ID asked to ensure that the Formartine Partnership was contacted. In response to a call for ALOAF attendees, JH volunteered, and foresaw interest from Oldmeldrum Hillwalking Club. It was agreed to book the Meldrum Academy Staffroom if possible, aiming for 5th or 15th March. LM will seek attendance by a Council officer involved with access in northern Aberdeenshire.</p>	LM LM LM
	<p>3(2) Feedback on Elsick development proposals: The Chair thanked the subgroup for their comments paper. LM had passed the comments to the designated Environment Planner to feed into the process. Discussion covered the following points:</p> <ul style="list-style-type: none"> • It was unclear whether there will be an underpass for a safe path route between the development and Cookney, across the proposed Stonehaven Fastlink, and relevant to links between communities, NCN route 1, and farm traffic. LM agreed to check. • JM was concerned about protection of the Causey Mounth route next to the Portlethen Golf Course at a proposed housing development. LM hoped that this was being taken into account in the planning process, via the Environment Planner, in view of the 	LM

	<p>Core Paths Plan interest.</p> <ul style="list-style-type: none"> • Responding to a point by ID, LM noted potential conflict between path networks and security/privacy advice from Police Community Liaison Officers. This needed further investigation. • GMcK praised the proposed allocation of open space being larger than the minimum required. JM noted that open space and the paths network will be integrated; also that the land east of the Causey Mounth route will be open space and park land. • LM stressed the need for monitoring to ensure that approved access provisions were actually delivered. The Environment Planner would be responsible for monitoring and the Council would feed back to ALOAF. HB observed that the number of houses had increased from 4000 to 8000-9000, and it was therefore important for ALOAF to continue to be involved in this. • GMcK anticipated that there would be more such developments elsewhere, e.g. one currently proposed for Mintlaw. Consequently it was valuable for ALOAF to be involved at an early stage. 	LM
	<p>3(3) Access Checklist – distribution: This had been welcomed at the Stonehaven workshop and delegates were keen for it to be distributed to community councils. The Chair asked if ALOAF would be in favour, and there were no objections to this proposal. In discussion, the following amendments were proposed:</p> <ul style="list-style-type: none"> • In Section 2, add “cycleways, equestrian and water-based routes” or “multi-user routes” to the wording. • Address the question of responsibility for ongoing management and maintenance of routes. Although not a planning matter, there is a practical need to tackle this from the start so as to avoid lengthy retrospective confusion, provide clarity in a climate of restricted budgets, and address land managers’ concerns. It was agreed that this would be added to the document as point 8. <p>LM suggested that the checklist could be included in the forthcoming circulation to community councils regarding nominations for an ALOAF Community sector representative (Item 2(4) above).</p>	LM LM
	<p>3(4) Coastal Path Subgroup update: LM said that CY has submitted his report to the Council but she had not yet had an opportunity to study it. The Council and Scottish Enterprise Grampian have Scottish Enterprise approval for a Project Officer with a remit for landscaping in the Energetica corridor as well as the coastal path.</p>	
	<p>3(5) SGRPID/NFUS field margins update: JH advised that at the 2011 NAF/LAF Meeting, Ron Macdonald of SNH had promised CY a response on this, which was now before ALOAF. LM noted that Item 36 of the Draft Minutes of the 9/11/2011 NAF Meeting also referred to this topic. While these responses suggested that penalisation for access-related damage had not occurred and was unlikely, GMcK warned that it was a complicated area. For example, if a farmer received minor penalties in two successive years for non-access-</p>	

	<p>related infringements of agricultural regulations, access-related damage to field margins in year 3 could result in 100% loss of Single Farm Payment. Consequently, there remains a large “fear factor”, and he felt that “no penalty” assurances were not enough. He therefore sought ALOAF’s approval of his proposed procedure whereby farmers could hopefully safeguard themselves by logging any relevant instances of irresponsible behaviour with the local Access Officer and, by having done so, avoid any consequential penalty which might otherwise have been applied. No objections were raised. Other concerns raised were the seasonal issue of breeding birds; and damage by statutory authorities in the course of their duties but outwith landowner control. LM reported that discussion with the Chair and Vice Chair had identified a need for a leaflet giving guidance on what was reasonable in terms of land management and of use by the public re protected field margins. KW hoped that a draft could be produced whose message would be supported by NFUS; JM suggested endorsement by SNH; and LM by SGRPID and any other key organisations. She felt that farmers could give a leaflet to access users when necessary, thereby reducing verbal confrontation. JM suggested on-site leaflet containers. The Chair asked LM to arrange a further meeting with SGRPID (Jenny Kinnaird) as soon as possible. DE felt that SGRPID may have to say that it remains the land manager’s responsibility, and he counselled against over-reaction.</p>	<p>KW</p> <p>LM</p>
	<p>3(6) ALOAF 2012 Public Event – Turriff Show?: Show dates: Sun. 5 and Mon. 6 Aug. Possibilities for sharing a stand include the LEADER (Vicky Thomson); RNCI; or a multi-agency with FCS and SNH. The meeting found these options acceptable.</p>	<p>LM</p>
	<p>3(7) ALOAF Newsletter and Leaflet update: It was agreed to defer the 2012 Leaflet until after the May ALOAF Meeting, for inclusion of enabling the new Community sector Representative. Future leaflets will show the year of issue on the cover. The Newsletter had been seen by Committee. ID suggested that the next one could include feedback from the Community Workshops. An Autumn 2012 issue could also include field margins; development appraisal checklist; report from Turriff Show. It was agreed that the Newsletter has a long shelf-life. The Chair proposed further consideration in due course.</p>	
4	Aberdeenshire Council update	
	<p>4(1) Upholding Access Rights update: KW referred to issues of privacy and dwellings discussed at the previous ALOAF Meeting. A subsequent response from SNH to a member of the public had disagreed with the Council’s interpretation of privacy and access rights. The Council is to meet SNH’s [national] access lead officer, Rob Garner, in Aberdeenshire to clarify perspectives on relevant local issues some of which can be complex. The outcome will be reported to the next ALOAF Meeting. AE observed that, while SNH comments at national level, it apparently cannot provide a representative to serve on ALOAF. KW said that the member of the public had contacted</p>	

	<p>SNH directly. AE felt unclear as to SNH's procedure in such cases. KW said that he had not been consulted by SNH before their response; also, there had been input from Scotways. AE called for exploration of the procedural issues thus exhibited, i.e. where SNH's advice was at variance with the local authority access officer's position. KW felt that a proper process was needed. In some cases problems could not be resolved without specific site knowledge. Meantime the Council awaited legal advice on the case in question, and it was not appropriate to call on ALOAF for input on this case at present. LM said that SNH had also questioned aspects of ALOAF's Privacy Questionnaire, and she hoped that the forthcoming meeting would help in showing on-the-ground examples. This might help SNH develop guidance on privacy, as it appeared that the ALOAF Questionnaire is the only such document at present. Asking if ALOAF was happy that the Council was in discussion with SNH on this general issue, AE felt that it was unsatisfactory that there was no procedure in place which could avoid the undermining, by a national body, of a local authority access officer's opinion. In the case in question, KW observed that SNH's logic, while understandable, doesn't work on the ground. The Chair asked for a further Council update in due course.</p>	KW/LM
	<p>4(2) Core Paths update: LM reported that the Core Paths Plan documentation was despatched to the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) on 2nd February. It was unknown when the DPEA's Reporter would respond, but LM would update ALOAF as necessary. ID noted that a bridge on a proposed core path (and Coastal Path/Nortrail route) at Newburgh requires replacement. LM said that this kind of issue is being addressed at Council level by an appraisal of the paths infrastructure, so that (in a climate of restricted budgets) routes can be prioritised for attention, giving a clearer idea of what the Council can realistically manage. Community involvement is important in this context.</p>	LM
5	<p>Access consultations, issues, etc.</p>	
	<ul style="list-style-type: none"> • Inverurie – Oldmeldrum Old Railway Line update: JH's update identified a number of issues affecting potential routes, viz.: impact on bird life, including concern about the impact of dogs on ground-nesting birds, and associated lack of cooperation by dog owners; flooding; existing private development on the line; proposed overhead power line; a river crossing; and possibly an additional road crossing. LM hoped to meet with Council engineering and legal staff regarding possible input. JH felt the need to identify a feasible route. LM said that a feasibility study was still an option. 	LM
	<ul style="list-style-type: none"> • A9/A96 Dualling: KW reported that the Council had been invited by the Scottish Government to a stakeholder workshop on access-related issues, possibly in March 2012. This may be primarily an initial briefing outlining the proposals. ALOAF input would be premature at this stage, but there will be consultation in due 	

	course on the detail of specific sections of the corridor. KW noted that the intention is to allow for future needs as well as existing concerns, i.e. to “future proof” the development. He will update ALOAF at the next meeting.	KW
	<i>[no Item 6]</i>	
7	Events, Training, Information	
	7(1) National Access Forum (NAF) papers: “Managing access with dogs in protected areas”: LM will e-mail ALOAF members with the links in this document.	LM
	7(2) Battlehill Huntly Events: On-site workshops are available over the next few weeks, as per the paper before the Meeting.	
	7(3) Deveron Arts Slow Marathon: LM reported that the Council had given appropriate access advice, and the organisers will be consulting with landowners. JM queried the 1 st Aid and marshalling aspects.	
	7(4) Possible visit to Oakridge Demonstration Site (Midlothian): Paths For All, per Fiona McNally, was considering organising a coach trip to this access materials and construction exhibit in April or May 2012. LM will keep Members informed and commented that this could relate well to the two ALOAF Community Workshops.	LM
8	AOB	
	<ul style="list-style-type: none"> • A90 Underpass at Newtonhill: Hamish Booth’s paper, prompted by an enquiry from a cyclist, drew attention to a disused and currently inaccessible vehicular underpass which would be a valuable potential part of the paths network, enabling safe crossing of the A90. HB noted that if additional path provision was feasible it could link with the Causey Mounth, while JM noted the potential for a link with a restaurant and soft-play area at Cammachmore. HB will visit and prepare a brief appraisal, with map and photos, for discussion at the next meeting, (LM to arrange projector). 	HB LM
9	Items for next meeting’s agenda	
	<ul style="list-style-type: none"> • Feedback on March Community Workshops. • Updates on access development checklist distribution, field margins, Core Paths Plan, Coast Path, Inverurie-Oldmeldrum route. • Appraisal of Newtonhill underpass. • ALOAF public event for 2012 (Turriff Show). • Feedback on Council/SNH meeting re privacy. 	
10	Dates of next meetings in 2012: 14 May, 25 June, 1 Oct, 26 Nov.	
	Closing the meeting, the Chair thanked Bill Ashcroft for his service to ALOAF as a Community sector Representative over the past 4 years.	