

ABERDEENSHIRE LOCAL OUTDOOR ACCESS FORUM

MINUTES OF MEETING 85

Monday 27 June 2022, 6.00pm

In Person Meeting

Glen Garioch Room, ANM Group Ltd., Thainstone Centre, Inverurie, AB51 5WU

Present: Paul Davison, Ken Gordon, Wilson Irvine, Anouk Kloppert, Alison Mitchell, Ruth Riddell, Graham Smith, Neil Taylor, Cllr Iris Walker, Henry Webb, Chris York (chair).

Council officers: Bridget Freeman, Sandy Scott.

Abbreviations: **A/C** Aberdeenshire Council; **A/O** Access Officer(s); Hub -- Knowledge Hub; **S/G** Sub-group.

Item	Subject	Action
1	<p>Welcome: To all from the Chair, noting that this was the first “in person” ALOAF meeting since the pandemic; also, suggesting that some future meetings might be online and some in person. The September 2022 meeting might be a site visit.</p> <p>Apologies: Mark Andrew, Gerald Banks, Geordie Burnett-Stuart, Gordon McKilligan.</p> <p>Introductions/deputising: The Chair introduced Cllr Iris Walker (observer for Aberdeenshire Councillors); and Access User Reserve Alison Mitchell.</p>	
2	<p>Approval of Minutes from Meeting 84 Subject to amendment requested by GS re Open Day; approval proposed by HW, seconded RR.</p> <p>Matters arising (relevant action points)</p> <p><i>Item 3 – Access Users -- biking – Aberdeenshire Trails Association interested in attending ALOAF; wildlife photography -- HW will contact Aboyne Camera Club; wild swimmers -- AK’s contact will ask swimming group. AK to report in due course.</i></p> <p><i>Item 3 – Land Management – sheep farming – AK not received response, but will try again. WI will ponder.</i></p> <p><i>Re above contact possibilities – CY advised that the above widening of contact groups might feed into ALOAF’s mailing list as well as providing possible Forum personnel.</i></p> <p><i>Item 4 – Joint meeting with Moray OAF – Looking likely; CY to contact MOAF Chair imminently.</i></p> <p><i>Item 5 – Mediation Training – 3 attendees from ALOAF; well-organised; raised awareness of tools to employ. Forum members should understand they are not professional mediators. Professionals exist. ALOAF’s role is not to solve problems but to help others to do so. It is OK to “walk away”.</i></p> <p><i>Item 6(1) – Positive feedback from ALOAF to Council – CY to write to Craig Stewart thanking Council for resources given to access work.</i></p> <p><i>Item 7 – Shared space platforms – K/H – All now connected; MS Teams – GDPR prevents setting up on Council server for ALOAF as considered to be “external” body. KG offered to set up via MS365 – BF and CY to confer.</i></p>	<p style="text-align: center;">HW</p> <p style="text-align: center;">AK AK WI</p> <p style="text-align: center;">CY</p> <p style="text-align: center;">CY</p> <p style="text-align: center;">BF/CY</p>
3	<p>Update on activities and events attended by members of ALOAF since previous meeting</p>	

	<ol style="list-style-type: none"> 1) <u>Countryside Live 2022</u> Although the ALOAF volunteering aspect was a success, the Forum's presence did not have as much impact as had been hoped for. The stand's location discouraged footfall; and signage within the event was lacking. As planned, ALOAF members did go out and about to engage with the public, with mixed success (lots of ALOAF cards given out; negative reaction from farming community), but few visitors were willing to climb the hill to visit the stand itself. Should ALOAF message be adjusted to emphasise the goal of all stakeholders (residents, visitors, land managers) being able to enjoy the countryside? 2) <u>Mediation Training</u> [see item 2 above] 3) <u>Coastal Conversations event</u> BF and HW attended, but the focus of the event was to gain participation from coastal communities. ALOAF's presence and display was therefore somewhat peripheral. Also the venue was architecturally unsuitable as well as being risky from the Covid perspective. If invited for the next event (September 2022) ALOAF should ask for more detail of what to expect before committing. At the current ALOAF meeting KG mentioned the <u>Jubilee Coastal Path</u> (1st phase: Montrose – Cove). As per Coastal Conversations, a role for ALOAF was not clear, but CY suggested that relevant advice could be sort from ALOAF. Mentioned also was the East Grampian Coastal Partnership <u>Discover Maps</u> project – for more information visit www.egcp.scot 4) <u>Access users</u> and (5) <u>Community representatives</u> Kintore-Blackburn cycle route now signed; core path at Daviot Estate now complete and popular (Daviot Community Trust); Oldmeldrum e-bike scheme underway; Old Aberdeen Road (Tarves area) vegetation-cut done by Aberdeenshire Council; FLS has reopened Back o' Bennachie following clearance of storm damage, diversion at Scolty in place for 2-3 weeks yet but work being hampered as diversion being ignored by public who claim it is too difficult, clearance at Kirkill/Tyrebagger may be end of August before completion. Oldmeldrum Paths Group is seeking a commercial producer for a paths map; meanwhile BF will hand over stock of 500 walking leaflets for Oldmeldrum area to GS. 5) [see above] 6) <u>Land managers</u> WI reported that dog issues on farmland are getting worse – would like to see on the spot fines for fouling and poo bag littering; issues with cattle even when separated from dog by fence. CY observed that these issues are a recurring topic for community councils. WI also advised that a reason for a barbed wire on gates is to prevent bulls from destructively using gate as rubbing opportunity. 7) <u>Agencies /FLS</u> [see above – Item 3(4)]. 	BF
4	<p>Planning for activities, events, training, information</p> <p>Turriff Show 31July-1 August 2022 CY thanked BF for securing a much better location for the stand this year. Volunteers so far are AK, Mhairi Robinson, GS. To provide adequate cover, more names are needed – ideal commitment is a half-day. Visit https://lettucemeet.com/l/VRJ91 to sign up. Apologies from CY due to work commitments. AK will kindly supply a</p>	ALL

	<p>gazebo. She will coordinate volunteers and brief them at the event. BF to check on timings, including set-up and take-down. CY to order more ALOAF business cards. Branded pens will be available for volunteer use. At the event, roaming among the crowd is a good tactic, but there needs to be further thought on “conversation starters” to engage with people. Thinking about a message -- as Baa-ba-ra the sheep has disappeared, it was decided to make a new one. BF to seek a fleece; SS will discuss construction with Inverurie Mens’ Shed.</p>	<p>AK BF CY</p> <p>BF SS</p>
5	<p>Aberdeenshire Council update</p> <ol style="list-style-type: none"> 1. <u>Introduction -- new Access Officer</u> Sandy Scott now appointed to 1-year post as Access Officer (South). CY emphasised the Forum’s role in supporting the Access Officers, e.g. re casework. 2. <u>Casework load</u> The process set up by BF and Richard Elliott has resulted in many cases being closed in the past 12 months. However, BF has 62 ongoing cases in north Aberdeenshire – a major reduction in numbers; while SS, having already dealt with many cases, has 26 new ones in south Aberdeenshire. In response to a request from CY, BF will upload a copy of the Council’s process to the Knowledge Hub. 3. <u>Access Rangers – seasonal</u> 2 people are in post until 31st October – Scott (north Aberdeenshire), Lewis (south). The “north” post hours are split between Balmedie Country park and “hotspots” across the area. 4. <u>Visitor Management Plan</u> [<i>Details at http://publications.aberdeenshire.gov.uk/dataset/aberdeenshire-visitor-management-plan-2022</i> ALOAF’s role is described in section 6.3.1]. Contact officer is Malcolm White. 5. <u>Staffing structure</u> With effect from 24th June, Access Officers have moved from the Planning service to Environment and Sustainability. The A/Os’ job description is unchanged, and they now report to a single line manager. The changes do not affect ALOAF, although budgets might be affected. There are 2 Environment Planners whose work has an access element. A/Os will keep ALOAF updated. 6. <u>Nominated Councillor</u> CY noted the value of councillors being aware of ALOAF. Cllr Walker affirmed her role as a link with fellow councillors, and assured the Forum of her support consistent with her appointment as nominated observer. 7. <u>Access awareness</u> Planning applications can potentially have an impact on access. Although monitoring of these was not something for the A/Os’ remit, CY felt that the Council needed to be kept aware of its access duties. The Ranger Service provides a presence on the ground; therefore CY suggested inviting the Seasonal Rangers to the September ALOAF meeting. An appropriate venue for the anticipated site visit might be a location with issues to consider (although not one with a live dispute ongoing). BF to contact Fiona Banks (Ranger Service management) to progress this. 	<p>BF</p> <p>BF</p>
6	<p>ALOAF Business Plan (BP) / Operating Principles (see Knowledge Hub for details). BP last updated in 2017 – themes are (a) offering local leadership and (b) assisting the access authority with its functions. Specific activities include (a) helping to review/amend the Core Paths Plan (BF affirmed that a review is not anticipated at present) and (b) helping to shape</p>	

	<p>the Council’s Access Strategy. There are 7 more task-like aims, which CY suggested is too many. CY identified a need for the Forum to assess where it’s at in respect of the BP. The Forum could either be led by its BP, or by whatever agenda may be apparent at the time. In discussion it was observed that some of the 7 aims are being pursued, but monitoring of planning applications has not been happening in recent years. While monitoring would be desirable, it is doubtful whether ALOAF has the capacity to undertake this. A more strategic approach would be to remind the Planning service of the Council’s access responsibilities, and also (as ALOAF has been doing) give input to the Local Development Plan process. Regarding FLS procedures, NT advised that he is consulted on forest management and planting schemes. Meanwhile, and noting the potential resource issues involved if the A/Os became more involved with planning applications, BF reported that the Council procedure is for the Environment Planners to be the formal consultees – with defined timescales for response. Depending on circumstances, they can then choose to discuss with A/Os. CY proposed that the Forum should write to the Council, (a) seeking reassurance that the removal of the A/Os from the planning service will not compromise the Council’s ability to fulfil and manage its access duties, and (b) reminding the Council that they can seek advice from ALOAF. With a view to discussion at a subsequent Forum meeting, CY asked members to study the BP and to consider whether ALOAF should be led by the BP or by the practical agendas of the day, and to consider where ALOAF should sit on the reactive/proactive spectrum.</p>	<p>CY</p> <p>ALL</p>
<p>7</p>	<p>AOCB</p> <p>0. <u>Core paths</u> Noting that the existing network does not necessarily link settlements, KG sought clarification on core paths – their purpose and status. In discussion it was noted that the delivery of a core paths plan as required by the Land Reform (Scotland) Act 2003 had varying results among the access authorities, with a disconnect between pragmatic considerations and the Act’s strategic aspirations. However, core path status does confer increased protection for the routes concerned, and such paths score highly in “Improving Public Access” bids. Core paths and public rights of way differ in some legal aspects. Resource issues constrain Aberdeenshire’s ability to develop or review its existing Core Paths Plan (CPP) – a process which involves Scottish Government approval. If settlements express a desire for connectivity, this would support a case for further resourcing of the CPP, but there was some scepticism of the bureaucracy attending the CPP process in particular. ALOAF could have a role in consulting with communities on connectivity. Cllr IW noted that two existing mechanisms – the Community Action Plan, and the Local Place Plan – give opportunities for community input on access, which CY observed might then feed into the core paths process. RR noted the recent focus on Active Travel routes. CY said that in the first instance, communities should go to the Council for assistance. SS observed that capital funding, if budgets allow, has been available for path development, but revenue funding for ongoing maintenance has been a problem.</p>	

	<p>1. <u>Scottish Outdoor Access Code – compliance and reporting issues</u> To report a problem, visit “Report an outdoor access issue” at https://www.aberdeenshire.gov.uk/paths-and-outdoor-access/outdoor-access/how-to-report-a-problem/ or email outdoor.access@aberdeenshire.gov.uk CY advised that reporting to the A/Os helps to neutralise potentially adversarial situations. The ALOAF webpage link is to be updated. Discussion followed on practical examples of obstructions, namely:</p> <ul style="list-style-type: none"> • <i>Barbed wire on gates</i> – can be an example of intentional obstruction to access. Outwith that context, WI noted that it can be to prevent livestock (e.g. a 1-ton bull) rubbing against gate. BF said a possibility would be to talk with the farmer concerned. • <i>Locked gates</i> – can be a deterrent to access for the [illegal activity of] hare coursing; Police now advising locking of gates to prevent theft (e.g. of diesel) – applies to woodland as well as farmland. NT reported that FLS practice is to lock barriers but to leave an unobstructed gap at the side. • <i>Uncleared storm debris</i> – report to A/Os. <p>2. <u>Path clearance (obstructions)</u> – A discussion on whether members of the public can clear path obstructions elicited the following points:</p> <ul style="list-style-type: none"> • The use of power tools without the landowner’s permission is an offence. • For [planned] smaller-scale work, using hand tools only, the landowner’s permission should still be sought. Where the route is a public right of way, it would be a matter of notifying the landowner rather than seeking permission. • FLS should always be informed regarding proposed work on their land, because of their wildlife protection responsibilities. • Anyone doing clearance work should consider how to deal with “arisings” (cleared vegetation etc.). <p>3. <u>Next meeting – location for site visit on 5th September</u> Suggestions:</p> <ul style="list-style-type: none"> • Dunnottar Woods (FLS) • Daviot (Paths; community shop) • Balmedie – Country Park; Menie Estate <p>CY asked for any additional ideas to be lodged with the Knowledge Hub, with a view to a decision by 31st July.</p> <p>4. <u>Social media accounts</u> As the effective use of social media requires constant posting, it was agreed that ALOAF’s account(s) should be “parked”, with an accompanying message to this effect.</p>	<p>ALL ?CY</p>
	<p>Closed session – knowledge hub casework Ythanbank – mediation Cuminestown – ownership query</p>	
	<p>Dates of next meetings – 5th September / 14th November</p>	