

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.

		Action
	<p>Welcome: The Chair reported that the desired venue for the present meeting had proved too costly; other future venues still being sought.</p> <p>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).</p>	
1	<p>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.</p> <p>Matters arising: <i>Item 2 – Scotways Rep:</i> LM: Scotways can source ALOAF Minutes from the Council website; <i>Change to Operating Principles</i> – 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);</p>	LM
2	<p>ALOAF administration</p> <ul style="list-style-type: none"> • <i>Membership update -- retrospective approvals – Chris York, John Hughes, Gordon McKilligan:</i> unanimous approval; formal decision deferred to next meeting as not quorate. LM to consult all reps. for endorsement. • <i>Update Operating Principles, Appendix 2:</i> deferred pending arrival of CY. • <i>Updated leaflet/Newsletter:</i> 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 check with graphics team re updating. Completely new edition to be discussed at November meeting. • <i>Banners and gilets:</i> IC recommended a source for banners. DF urged that these be stitched to provide sleeve top and 	LM

	<p>access developments – Chair suggested this best take place in spring 2015 when sufficient daylight.</p> <ul style="list-style-type: none"> ○ <i>Access checklist for developers and community councils:</i> 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
	<ul style="list-style-type: none"> • 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
	<ul style="list-style-type: none"> • 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 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 to draw up staffing rota. 	MW/LM PG LM AM LM
4	Upholding Access Rights Cases – update	
	<ul style="list-style-type: none"> • 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. 	
5	ALOAF Briefing	
	<ul style="list-style-type: none"> • A day in the life of an Access Officer: from MW (Council’s Access Officer – North, half-time; Environment Planner – North, half-time). “North” = Formartine, Banff and Buchan, Buchan. Access role ranges from reactive (access rights; rights of way; access disputes) to proactive (path development, bridges, paths maintenance, promotion – e.g. advising community groups). Access rights issues range from neighbour disputes and local obstruction to major developments. The work includes all modes of use. Disputes sometimes 	

	<p>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.</p>	LM
	<ul style="list-style-type: none"> • Topics/Individual for October and November: already covered in the present meeting. 	
	[no item 6]	
7	Aberdeenshire Council Update	
	<p>(1) SOAN Workshop for LAFs – feedback: Results of the 28th 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:</p> <ul style="list-style-type: none"> • 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 how members felt about the effectiveness of ALOAF. LM advised that the present lack of access cases coming before 	

	<p>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.</p> <ul style="list-style-type: none"> 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	
	<ul style="list-style-type: none"> 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. 	
	<ul style="list-style-type: none"> Scottish Government Walking Strategy: not discussed (lack of time). 	
9	Events, training, information	
	<p>(1) National Access Forum Papers – Update/Core Paths Paper/Review of Operating Principles: relevant papers supplied to meeting.</p>	
	<p>(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.</p>	
	<p>(3) Paddlers Meeting feedback: not discussed (lack of time).</p>	

