

# ABERDEENSHIRE LOCAL OUTDOOR ACCESS FORUM

## MINUTES OF MEETING 88

Monday, 30<sup>th</sup> January 2023, 6.00pm

### Microsoft Teams Meeting

**Present:** Gerald Banks, Paul Davison, Ken Gordon, Jonathan Kitching, Anouk Kloppert, Gordon McKilligan, Graham Meldrum, Gordon Prentice, Ruth Riddell, Geordie Burnett Stuart, Neil Taylor, Henry Webb, Chris York (Chair). *(Some members were not present for parts of the meeting).*

**Council officers present:** Peter Coldwell, Bridget Freeman, Malcolm White.

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

Item	Subject	Action
1	<p><b>Welcome, apologies, introductions, deputising, etc.</b></p> <p>a) Welcome by Chair to Peter Coldwell (Access Officer, South) and Malcolm White (Team Leader – Specialist Services team).</p> <p>b) Apologies and declaration of interests – none.</p>	
2	<p><b>Approval of Minutes from Meeting 87</b> Subject to spelling corrections, proposed by AK, seconded PD. Note: Minuted date of next meeting “13<sup>th</sup> February” was subsequently superseded by current meeting.</p> <p><b>Matters arising (relevant action points)</b></p> <ul style="list-style-type: none"> <li>• 87/Item 2: Walk leaflets have been sent to Meldrum Paths group.</li> <li>• 87/item 3: Correspondence with Council actioned and completed.</li> <li>• 87/Item 4: 2020/21 storm damage still impacting some informal woodland access in ALOAF area. The Council’s “Report an access issue” web form can be used to report this.</li> <li>• [87/Item 5: Discussion re September 2023 site visit minuted below].</li> <li>• 87/Item 5: JK reported that the Mar access group is agreeable to sharing their Aboyne Games stand with ALOAF.</li> <li>• 87/Item 5 (Training): KG has sent information to CY.</li> <li>• 87/Item 6: Non-compliant sign at Banchory Lodge has disappeared; <b>JK to discuss with PC.</b></li> <li>• 87/Item 8 (access and housing estates): PD has supplied information; discussion minuted below.</li> <li>• 87/Item 8 (community councils and access): discussion minuted below. <b>To be continued in confidential space on KHub.</b></li> <li>• 87/Item 9: <b>CY to follow up</b> with NatureScot and National Access Forum.</li> </ul>	<p>JK</p> <p>ALL</p> <p>CY</p>
3	<p><b>Aberdeenshire Council update</b></p> <p>1. <i>Malcolm White.</i> As line manager, MW reported that the first priority for the A/Os is to prioritise and reduce the access case backlog. The Access Officer (South) post is now permanent. By end of summer 2023 he hopes more time can be given to assisting communities with their path networks. Meanwhile, the Council’s Environmental Project Officers (EPOs) are focussing on those of the long distance and core paths which are the Council’s responsibility. Interviews have recently</p>	

	<p>taken place for three EPO positions to fill vacancies in North and South Aberdeenshire, amounting to at least 1.5 full-time equivalent posts. At present there is an issue in that external funding availability has been exceeding the Council’s capacity to spend it. In response, CY commended the Council’s support for access staffing, and he encouraged the Council to utilise ALOAF for matters within its remit and competency. Discussion points included:</p> <ul style="list-style-type: none"> <li>• MW is contact, for the time being, for community path groups.</li> <li>• James Davidson is officer with remit for Deeside Way.</li> <li>• GBS registered dissatisfaction with the Improving Public Access (IPA) scheme response on path bids in Old Deer area. MW said he could look into it, but CY advised that IPA is a Scottish Government (SG) scheme – Council can comment on bids but has no powers to influence decisions. BF reported that IPA officers are seasonal and the personnel change from year to year. GB reported that the IPA scheme will not run next year, leaving communities and landowners without support – which suggests that SG has lost interest in encouraging rural access. Questions should be asked why this is happening; also, current IPA schemes are based on costs which have not been revised since 2014. SG Minister will be addressing NFUS AGM in 10 days’ time [February 2023], and GB intends to raise the matter then. CY’s perception is that the available funding is going instead to Active Travel schemes (e.g. via Sustrans) in preference to local projects. He has discussed the issue with SG. BF observed that money is also being directed to 20-minute neighbourhoods in built-up areas.</li> </ul> <p>2. <i>Access Officers.</i> CY introduced Peter Coldwell, Access Officer (South). He can be contacted by email (CY to add address to contact list). MW offered Ranger Service support for PC if required during the next few months. BF’s post is now full-time. CY emphasised value of A/Os participating in ALOAF’s public presence at events. MW agreed with A/Os participating at events-in-progress, but wishes to minimise A/O time spent on the set-up and take-down tasks which are not the best use of their time. However, the supporting paperwork is an accepted task for the A/Os.</p> <p>3. <i>Environment Planners &amp; Other staff.</i> [Included in MW’s report in s1 above].</p> <p>4. <i>Local Development Plan.</i> ALDP2023 has been adopted.</p>	<p>CY MW</p>
<p>4</p>	<p><b>Core Paths Plan and the core paths network</b></p> <p>Noting that 2023 is the 20<sup>th</sup> anniversary of the passing of the Land Reform (Scotland) Act 2003 (LRSA), and that a Core Paths Plan (CPP) for the ALOAF area was adopted some 13 years ago, CY questioned whether this has resulted in an actual “core paths network” and do we know what is meant by the term? He recommended the BBC Radio Scotland “Out of Doors” podcast on the LRSA, available at <a href="https://www.bbc.co.uk/programmes/p0dyhdyt">https://www.bbc.co.uk/programmes/p0dyhdyt</a></p> <p>With the public’s typical frame of reference still expressed as “rights of way”, are “core paths” relevant to peoples’ lives? CY saw a need to improve peoples’ knowledge of core paths and of the condition of the paths. The</p>	

paths need to be formed into a core paths network, with access from peoples' doorsteps (as was sought by many during Covid lockdowns). This local access needs to be enhanced. There are ca.700km of core paths in Aberdeenshire, but little is known about them. If relying on Council resources, given current A/O workloads imposed by other concerns, little improvement can be expected in the foreseeable future. CY sees a role ALOAF bringing about change. Possible initiatives could include:

- Improving public perception of core paths.
- Designation of additional paths and their inclusion in a future CPP.
- Although the local authority is the only body authorised to undertake a CPP review, ALOAF could help the Council in various ways, e.g.:
  - Disseminating information on core paths and the criteria they should meet.
  - Helping to define the needs for each settlement.
  - Developing guidance for community councils.
  - Considering how to manage core paths (given that although the Council has the power to do so, it has no statutory duty to manage).

Noting that the IPA scheme is not doing an adequate job, and community efforts are not always rewarded, CY is keen to be able to put constructive proposals to the Council, in the interests of using public money most effectively. CY therefore asked the meeting if ALOAF members would like to be involved, in the interests of improving peoples' lives in Aberdeenshire.

This met with general agreement. Discussion topics included:

- Involvement of local groups in checking paths on the ground.
- Mapping technology resources –
  - Council -- ALOAF could ask Council to overlay community council boundaries onto core paths mapping;
  - CY's mapping app;
  - "Mapping Scottish Paths" (MSP) (Ramblers Scotland) using ArcGIS -- on which 56 Aberdeenshire core paths or parts of them have been surveyed. Ramblers have granted permission for ALOAF to use the associated app and are happy for the Council to use the data.
- ALOAF could audit the core paths.

MW advised that the Council, as a pilot, is currently carrying out a condition survey of the core paths in Formartine through consultants, with completion date end of March 2023, the aim being to prioritise those core paths for which the Council has a direct responsibility. The Council could seek ALOAF's input on the results. MW listed the criteria being used to assess each path. CY suggested (a) ALOAF might assist future surveys to reduce Council consultancy costs; (b) sharing of data from Council surveys would be informative to the Ramblers' MSP database. He noted an example from France of an app giving information and gpx files for for paths in the Auvergne – an idea which could have traction in Scotland, to add to the existing Walkhighlands system which tends to focus on upland routes.

Advocating self-improvement in a context where the public sector is unable to produce timely results, CY felt that if core paths are appropriately signed and used, a sense of community responsibility will be generated. Referring

	<p>to the Council's Core Paths Signage project, BF observed that signage is open for discussion, and ALOAF could identify locations for signs. Various signage systems and designs are in current use. Difficulties can arise where systems geographically overlap – e.g long-distance routes and forest walks. FLS has a separate system for designated mountain bike trails. With regard to management of paths, FLS has data on long-distance routes and public rights of way, so that forest operations can take these into account and avoid damage. Much of the forest estate is relatively remote from settlements. <b>NT will send link</b> for FLS Visitor Strategy to BF for circulation. In discussion it was noted that more communities are becoming involved in local path networks – perhaps ALOAF could help to facilitate this at community sector level. A definition of core paths was requested [see separate briefing note]. In conclusion, it was agreed that ALOAF should progress involvement with core paths. <b>KG, GM and PD volunteered to form a sub-group</b> to take things forward and report to the next ALOAF meeting.</p>	<p><b>NT/BF</b></p> <p><b>KG/ GM/PD</b></p>
<p><b>5</b></p>	<p><b>Examples of planning issues relevant to access</b></p> <p>PD has put a case study on KHub which could be useful to Planners regarding contradictory priorities, and to community councils in responding to planning application consultations. Issues include apparently innocuous revisions / applications (e.g. for “Change of house type”, as cited by GP) which might include request <u>not</u> to comply with specific planning conditions originally imposed when full planning permission was granted. An example was where this process would have resulted in loss of access to greenspace (a planning condition), but the community council spotted it and successfully protected a path. In another example, quoted by PD, a pathway was lost. In this context CY raised the possibility of ALOAF sharing examples of successes and pitfalls with community councils. It was noted that community councils have the right to request an extension of the consultation period if they wish. It is necessary for planning officers to have an understanding of access, and for there to be an open channel for dialogue between access officers and planners. CY cautioned that with many planning applications and few access officers, the most practical approach might be for ALOAF to highlight issues and make helpful suggestions for improvement. Awareness raising of developers’ tactics may help counter the situation where some community councils do not otherwise have the will or the time to protect access. MW advised that his team is equipped to respond when consulted by planners. CY noted that PD’s case report quoted a number of council and national government policies which are useful or the public to know about when commenting on planning applications. He asked <b>GP and PD to work on an advisory note</b> for planners and community councils on the relevant issues with the aid of generalised and anonymised examples. In an example described by CY as “reflecting the variation among community councils” GBS reported that in his area Deer CC was inactive on paths matters, and had generally avoided commenting on planning applications because of the potential controversies which could arise in an area encompassing several separate settlements. GP quoted advice to community councils that they have a critical role in the planning system. JK noted that community councils can help fund planning application costs for path developments.</p>	<p><b>PD, GP</b></p>

<p><b>6</b></p>	<p><b>Activities and events attended by members since previous meeting</b></p> <p><i>Access users</i> Access at <u>Loch Kinord</u> -- JK intends to continue discussion with NatureScot.</p> <p><i>Community reps</i> PD has placed some information on KHub re <u>maps and paths</u>. <u>Daviot</u> – KG reported that ways are being sought to encourage people to access the estate paths network, e.g. Zero Carbon Daviot’s ebikes initiative. On a separate issue, there is joint-working with Meldrum Paths Group on safe path access to Inverurie. <u>Westhill</u> – GP reported awards of funding from Paths For All and Aberdeen City Council [landowners] for path restoration and tree planting at Carnie Woods. The boardwalk is to be removed, the path surface built up and drainage improved. An offer of grant has been received for part of the orbital trail; funding sources are Paths For All and Aberdeenshire Council; also, potentially, landfill tax (Scottish Action Fund) as the area is within qualifying distance of a landfill site. At <u>Oldmeldrum</u>, discussions are underway with Aberdeenshire Council on the ebikes project. <u>Fetternear – PD has received a complaint regarding access past a house. He will put this on KHub.</u></p> <p><i>Land managers</i> GBS commended the Aden Country Park paths network but it needs to be integrated with the external links. For FLS, NT reported that clearance of storm damage continues on FLS land in Aberdeen city. Also, there has been 4x4 incursion at Kirkhill Forest, with difficulties attending enforcement. However, despite unusual legal provisions regarding FLS forest roads, the law is clear that unauthorised vehicular use beyond a short distance from the public highway is an offence [see Appendix to Minute]. At Blackhall Forest, FLS have received a complaint that a diversion of the Deeside Way makes use of a private road. Non-motorised access rights do apply to the road, but the fact that signage has been installed on the route by FLS may present a different slant to the issue.</p>	<p>PD</p>
<p><b>7</b></p>	<p><b>Planning for activities, events, training, information</b></p> <p><i>Events</i> <u>AK is willing to lead</u> on coordinating ALOAF participation at Aboyne and Turriff this year, and would <u>welcome involvement by other ALOAF members</u>. BF happy with ALOAF taking part. <u>Aboyne Highland Games, 5th August 2023 – CY thanked JK for facilitating the sharing of a stand with Mar Paths Forum. JK will look into cost, gazebo, pitch size, paperwork – to liaise with AK accordingly.</u> Set-up to be early morning on the 5<sup>th</sup>. <u>Turriff Show – Sunday 30<sup>th</sup>- Monday 31<sup>st</sup> July 2023. Coordination for both events involves rotas (min. commitment half a day); handouts (as 2022) – BF?; equipment pick-up and return -- CY; set-up and take down – Rota volunteers.</u> Equipment only accessible Monday to Friday; <u>MW will arrange for Museum staff to admit to equipment store at Mintlaw (CY to liaise with MW on this).</u> <u>Need to decide</u> whether to bring replica sheep.</p> <p><i>Training</i> <u>CY to contact NatureScot</u> re customised training on Land Reform (Scotland) Act access matters.</p>	<p>AK ALL</p> <p>JK</p> <p>BF/AK/ CY Rota vol.</p> <p>MW/CY</p> <p>? CY</p>
<p><b>8</b></p>	<p><b>AOCB</b></p> <p><i>“Rural Matters” article</i> North East Partnership Against Rural Crime (NEPARC) had sought an article on access rights. BF said Council’s submission will fulfil this, but NEPARC would be happy to accept a piece from ALOAF separately in due course. CY suggested discussion at next</p>	

	<p>meeting re messages appropriate for a farming and estate management audience.</p> <p><i>KHub</i> GP asked how to post on KHub. CY advised see “topic” and “discussion” areas. “Library” is for official documents; “Blog” can be used but information on it is fleeting. BF observed that the KHub’s role is to be a meeting space, avoiding the pitfalls of email communication among varying groups.</p> <p><i>Aberdeenshire Council website ALOAF pages</i> BF keen to reduce clutter. It was agreed that meeting Agendas could be deleted but Minutes should be retained, perhaps in an archive folder, as ALOAF is a public body. <b>BF to liaise with Council IT.</b></p>	<b>BF</b>
<b>9</b>	<b>[Closed session]</b>	
	<p><b>Dates of next meetings (all 2023) – 15<sup>th</sup> May, 4<sup>th</sup> September (site visit), 6<sup>th</sup> November.</b></p> <p>The May and November meetings will be <b>online only</b></p> <p>In discussion, it was suggested that a suitable venue for the 4<sup>th</sup> September site visit might be Aden Country Park in conjunction with the Ranger Service.</p>	