

## Cairngorms Local Outdoor Access Forum

### MINUTES OF THE TWENTY SEVENTH MEETING Glen Avon Hotel, Tomintoul

Tuesday 8<sup>th</sup> February 2011

#### Summary of Action points arising from meeting

**API- AQSS to reschedule COAT presentation to a later meeting, and to explore combining it with a site visit.**

**AP2- The Convenor agreed to write to TS and CNPA expressing the forums position.**

**AP3 - AQSS to clarify the location of the new cycle path in relation to the railway line.**

**AP4- Hebe Carus to be updated on case 29.**

**AP5- AQSS to present paper on commercial access once the scope of the NAF guidance has been decided.**

#### Forum members in attendance

Paul Corrigan (Convener)	Bob Kinnaird
John Grierson	Roger Searle
Andrew Dunn	Debbie Greene
Simon Blackett (Vice Convener)	Catriona Rowan
Thomas MacDonell	Dave Craig
Jeremy Usher Smith	

<b>Others in attendance:</b>	
Bob Grant, CNPA	Ian Cox, AoCC
Fran Potheary, CNPA	Fiona McInally, PFAP
Adam Streeter-Smith, CNPA	Katrina Brown, Macaulay Institute
Jeremy Roberts, RSPB	Gregor Hutcheon, CNPA Board

#### Item 1 – Welcome

1. The Convener thanked everyone for coming, especially the guest speakers and others in attendance. He highlighted that Dougie Baird was unexpectedly unable to give the update from COAT but hoped the rest of the agenda made for an interesting meeting. He asked staff to re-arrange the COAT presentation for a later meeting.

**API- AQSS to reschedule COAT presentation to a later meeting, and to explore combining it with a site visit.**

2. The Convener also highlighted that this was the last meeting of the long standing members Simon Blackett, John Grierson, Roger Searle and Nic Bullivant. Having been with the Forum from the outset in 2005 he commended their individual

contribution to the Forum and special thanks was given to Simon for his work as the Vice Convener.

### **Item 2 - Apologies**

Hebe Carus	Juliet Allam
Richard Wallace	Malcolm Macintyre
Joyce Lyle	
Murray Ferguson	

### **Item 3 - Minutes of the last meeting – approval and matters arising not otherwise appearing on the agenda.**

3. The minutes were agreed.

#### **Action points arising from the last meeting**

AP1 – Deferred to the May meeting.

AP2 – Deferred to the August meeting to coincide with a possible site visit.

AP3 – Deferred to the May meeting

AP4 – Discharged

AP5 – Deferred to the May meeting

AP6—Discharged

AP7 - Deferred to the May meeting

AP8 - Discharged

### **Item 4 – Loch Garten Area of Special Protection**

4. Jeremy Roberts, Reserve Manager for Abernethy, introduced this item acknowledging the LOAF's disappointment at not being consulted earlier about this issue but highlighted that the whole debate was being driven at a national level through the Scottish Parliament's deliberations on the Wildlife and Natural Environment (Scotland) Bill. He did appreciate the opportunity to discuss the issue at this meeting and hoped to engage the Forum in the future on such matters.
5. Managing visitor pressures around the bird hide is at the forefront of the RSPB's work. Since the Ospreys first nested at Loch Garten there has been a statutory bird sanctuary in place. The key management element is the Area of Special Protection (ASP) that makes it an offence to enter a zone around the nest during the bird breeding season. This zone of protection has also benefited the Capercaillie lek in this location. A key part of the RSPB visitor management strategy is to direct the public to the bird hide to see Osprey and Capercaillie and reduce disturbance across the rest of the Reserve. The Osprey Centre contributes significantly to the local economy and is one of RSPB's flag ship visitor attractions. The loss of the Ospreys and Capercaillie would be fatal to this attraction.

6. There have always been visitor management pressures on the reserve and there is a lack of faith that the rights and responsibilities set out in the Land Reform (Scotland) Act 2003 can help the RSPB to manage some of the issues. The ASP has given them a degree of comfort that they have the legal backing to deter the public from disturbing the Ospreys but it hasn't altered how they deal with the public.
7. Moving forward the RSPB intends to continue to engage with the public as they have done (minus the ASP) and monitor the situation. They would like to keep the LOAF up to date on developments with a view to seeking further advice if the measures are proven to be failing.
8. The Forum acknowledged and was entirely supportive of the management approach being employed by the RSPB but did challenge the assumption that there needed to be some other form of legal backing considering that existing legislation could be used and in all the years that the ASP had been in place no prosecution had taken place. It was accepted that the impact of disturbance would be detrimental to the facility and that other legislation required perpetrators to be caught red-handed, but it was still argued that additional legalisation wouldn't change their management approach.
9. In summary the Forum recognised that it was a very important issue and that signage was going to play a significant part to both educate the public but also to set the boundary as to when an offence is likely to occur. Education needed to be targeted at bird watchers, and monitoring would be vital to identify when management intervention isn't working but also to justify any change in a management regime. The forum were keen to be kept updated on access matters at the site and Jeremy agreed to keep the forum informed

#### **Item 5- Trunk Road development and access with specific reference to the A9 at Crubenmore**

10. AQSS highlighted that large scale infrastructure projects such as the dualling of the A9 are taken forward through Transport Scotland and are not subject to local planning approval. However within the National Park dualling could have a significant impact on outdoor access as it affects 'connectivity' of access across the Park and potentially creates barriers to many forms of access. The dualling at Crubenmore highlights the need to address outdoor access issues at a very early stage in a scheme's development.
11. He informed the Forum that Transport Scotland had conducted a consultation but response back from stakeholders had been very limited. CNPA internal consultation mechanisms have been tightened as a result and the Access Team will ensure it scrutinises future proposals.
12. In the discussion that followed, the Forum acknowledged that there are two issues - the obstruction to access at Crubenmore, and the future impact on access of other similar developments. There was a very strong feeling that the issue at Crubenmore was of greater importance at present.

13. A number of Forum members raised concerns about the scheme both from personal perspective, having used the Wade's Road a lot, but also highlighting the routes popularity with a number of other groups such as Duke of Edinburgh and local running groups.
14. There was concern expressed that the Environmental Impact Assessment (EIA) did not pick up the significance of the paths and tracks in the area and that perhaps in future Transport Scotland should tighten the scope of the EIA process to pick up on potential access issues.
15. Given the weight of evidence of use, the Forum was not content for a solution to be pursued that merely satisfied cyclists and walkers. Given the scale of the development and the safety implications for anyone crossing the road, they felt that an underpass was the only realistic solution and that CNPA staff should continue to press for an inclusive solution to access across the A9 at Crubenmore.
16. The forum proposed strongly that further consultation with TS should be attempted in an effort to include an improved safe access facility at the Crubenmore works for all access takers.

**AP2- The Convenor agreed to write to TS and CNPA expressing the forums position.**

**AP3 - AQSS to clarify the location of the new cycle path in relation to the railway line.**

#### **Item 6- LOAF Recruitment**

17. AQSS introduced this item highlighting that:

- LOAF recruitment started the week beginning the 24<sup>th</sup> January and will close on the 25<sup>th</sup> February;
- Notices have been placed in all the local papers, email updates and circulation around key stakeholders had also taken place;
- There will be an additional press release to encourage extra interest;
- Selection panel will be Paul Corrigan, Simon Blackett, Bob Kinnaird and Bob Grant;
- So far 13 people have expressed an interest.

#### **Item 7 Outdoor Access Casework**

18. Fran Potheary reminded the Forum that, for the next meeting, the paper will also include the breakdown of case work statistics for the year end, and comment on other access casework such as planning and SRDP. This will provide the opportunity to introduce the new LOAF members to this line of work.

19. FP then went on to highlight that a number of old cases had resurfaced in Ballater and that the access team would be meeting with the Community Council to engage them in taking these forward.
20. Case 17 was of interest, involving an encounter between a member of the public and reindeer on the Cromdales. Access staffs have worked closely with the MC of S and the herd manager to develop informational signage.
21. There was considerable amount of discussion regarding the ongoing visitor management at Kincaig (Case 22). Forum members reiterated that there was a long history of access and bird watching at this site, and that the provision of a public toilet has always been an issue both at the Church launch site and at the shinty pitch. It was suggested that Loch Insh Watersports had been in receipt of public grants in the past to help manage this issue. It was also noted that Osprey had been in the area and had co-existed alongside paddling for many years. The Forum was very supportive of a Visitor Management Plan as a means to set the issues in context and find some workable solutions.

**AP4- Hebe Carus to be updated on case 29.**

**Item 6 - National Access Forum updates**

22. AQSS highlighted that the following will be the focus for the NAF in 2011:
  - National guidance on Outdoor Access Events will be published in early 2011
  - National guidance on dogs and ground nesting birds
  - National guidance on commercial access
  - The future of Heading for the Scottish Hills - the 2010 HFTSH pilot web service attracted positive feedback from hill-walkers, with the proviso that it would need to expand to cover a larger area in order to be really useful. It received more mixed feedback from land managers, who found the system potentially helpful but too complex and difficult to operate. The aim is to take this service forward in a simplified form which provides more information for users through relatively fixed messages, supplemented by a simpler system for providing shorter-term updates, which should hopefully encourage more estates to sign up.
  - The next meeting of the National Access Forum is on 16<sup>th</sup> February, papers can be viewed at <http://www.outdooraccess-scotland.com/access-forum/meeting-papers/> . The paper by BHSS on locked gates and equestrian access should be of particular interest.

**AP5- AQSS to present paper on commercial access once the scope of the NAF guidance has been decided.**

**Item 7- Update and forward look**

23. AQSS highlighted that work was under way on improving the signage and waymarking of the path networks around Boat of Garten and Carr Bridge and

that the next project would be expanded to cover all the communities of the National Park.

24. FP highlighted that a “Green Dog Walkers” scheme was to be initiated in Grantown under a Highland Council license and it is hoped other communities will follow suit.

**Date of next meeting**

25. **Tuesday 10<sup>th</sup> May 2011, Ballater at 18:30**