

## North Ayrshire Outdoor Access Forum

### Note of Statutory Forum Meeting

Monday 24 November 2008 – Ardrossan Civic Centre, Glasgow Street, Ardrossan

**Present:** Luke Borwick (Chair), Bruce Davidson, Louise Dickson, Rob Loney, Sandy Miller, Kate Samson and Gerard Tattersfield

**Attending:** Janice Gray (PfAP), Pat Elmslie (CMRP), Cameron Sharp, Margaret Ferrier and Louise Kirk (all NAC)

**Apologises:** Annique Armstrong, Kerry Burns, David Clegg, PC Donna Harrison, Jean Highet, Cllr Jean Highgate (Vice Chair), and Dick Sim.

### Welcome & Introduction

Luke Borwick welcomed the Group to the meeting. No issues were raised in relation to the Note of the September meeting.

### Progress update

#### • **Access and Code issues**

The AO advised the group of the following issues:

- Kelburn Avenue, Fairlie: The lawyer representing one of the landowners has written to the AO to advise that the gate has been locked. This is as a result of the obtaining an opinion from an eminent lawyer, which contradicts the Council's opinion. The correspondence focuses on the Council's use of the term curtilage. This Council's position in relation to this has now been clarified with the lawyer. The AO advised that Council has not received a copy of the opinion as the landowner is requesting payment of half of the costs of obtaining the opinion prior to releasing it. The group highlighted that they would prefer for the Council not to pay for half of the opinion but to obtain its own independent opinion if deemed necessary. The Forum welcomed further negotiation with the landowners with the aim of resolving the issue amicably. It was agreed that volunteers could be sought from the Forum if appropriate to assist with any negotiations in relation to the route. It was agreed that the AO would continue to investigate this issue with Legal Services and advise the group accordingly at the next appropriate Forum meeting.
- Silverburn Farm, Whiting Bay: The investigation to determine whether or not the route is a Right of Way (RoW) is on going. The AO is still receiving Evidence of Use questionnaires and will consult with Scotways on the outcome of the questionnaires. It was agreed that the AO should continue investigating this issue and advise the group of any findings.
- Davies O' the Mill, Beith: A complaint has been received that the asserted RoW at Davies O' the Mill is being blocked by the landowners making the route impassable. The group agreed that the AO should investigate this issue and advise the group of any findings.

No additional issues were raised in relation to access or the Scottish Outdoor Access Code.

#### • **Projects 2008/09**

The AO advised that a decision has not yet been received regarding the application to Scottish Natural Heritage (SNH) to extend the Community Outdoor Access Grant Scheme (COAGS). The AO advised that the Council will not be able to apply for funding from SNH in the future as the funding previously provided to local authorities will be included within the Scottish Government allocation from 09/10 onwards. The group agreed that it may be more appropriate for the Forum to apply in the future and that the future of the scheme would be decided when a decision was received from SNH.

KS highlighted that the Arran Natural History Society (ANHS) is in the process of developing a project to co-ordinate the Arran Wildlife and Outdoors and Walking Festivals and is submitting a funding application to LEADER to implement it. The group was planning to submit an application for £500 for the walk leader training element of the project to COAGS. The delay in receiving a response from SNH makes this impracticable and it was agreed that the training element of the project should be funded from the outdoor access budget subject to the

confirmation of the overall funding package. It was agreed that the AO would liaise with KS and ANHS and advise the group accordingly.

The AO advised that no further potential projects have been proposed. The AO highlighted that the remaining budget available for projects in 2008/09 will be confirmed in the near future when the full costs of producing the Core Paths Plan are known. Discussion arose on using the remaining budget for signage for the Core Paths network. The AO agreed to investigate this and provide an update for discussion at the next Forum meeting.

The AO advised that an application has been submitted to Sustrans through the National Cycle Networks and Associated Projects Scheme to upgrade the National Cycle Network Route 73 through Ardeer Quarry, Stevenston. The outcome of this application will not now be known until March/April 2009.

- **Future projects: Beith to Glengarnock**

The AO advised that Councillor Highgate has requested that the proposal to create a route between Beith and Kilbirnie be investigated for 2009/10. This project was submitted in 2008 to the Smarter Choices Smarter Places grant scheme but was not successful. The group agreed that this would be a valuable project and should be considered for 2009/10. The group agreed that this would require a partnership approach with Roads and Transportation Services and a successful funding application. It was agreed that the AO would investigate this further and advise the group accordingly at the next appropriate meeting.

### **Forum development**

The AO provided a summary of the recent Your Day in Court training course. The course included an overview of the Court System in Scotland and Sheriff Court Civil Process. It provided advice and practical examples on gathering and providing evidence in court cases. An overview of the existing access court cases was also provided. It was agreed that this was a worthwhile and informative course and that any Forum representative wishing a copy of the notes should contact the AO.

- **Forum leaflet**

The AO advised that the Forum leaflet is still under development. The group agreed that this should be discussed in full at the next Forum meeting. It was agreed that the AO would liaise with LD on the proposed wording and format for the leaflet prior to the next Forum meeting. The group agreed that it would be useful to have the leaflet for the next AGM and launch of the Core Paths Plan.

- **North Ayrshire Community Planning Partnership**

A volunteer was sought from the group to join the Environment Partnership of the Community Planning Partnership. The AO advised the group that the meetings would be on a quarterly basis and held at Cunninghame House, Irvine. It was agreed that RL would represent the Forum on the Partnership. The group welcomed the opportunity to become more involved in the community Planning process. It was agreed that RL would report back to the Forum on the Partnership's meetings and that the AO would advise the Community Planning Partnership of his nomination.

- **Forum meetings for 2009**

The group discussed possible dates for the 2009 meetings. It was agreed that a meeting on Arran would be useful in 2009, particularly as the Brodick Seafront project will be underway. The dates proposed were as follows:

- 2 or 9 March 2009
- 1 April or 4 April 2009 for AGM and launch of Core Paths Plan
- 15 June 2009 for the meeting on the Isle of Arran
- 7 or 14 September 2009
- 7 or 14 December 2009

It was agreed that the AO would investigate the availability of venues and report back to the group. The Chair requested that Members advise the AO of any holiday or other commitments as soon as is reasonably possible to enable their substitute to be informed.

## **Core Path Planning**

### **• Formal Consultation**

The AO advised that the remaining objection has been resolved therefore the Council can move towards adoption of the Plan without the requirement for a Local Inquiry. The Chair and AO thanked all Forum representatives who assisted with the resolution of the objections and congratulated the group and the Council on their success. The AO advised the group that the Plan would be considered for adoption by the Planning Committee on 13 January 09 and the decision will be considered for ratification by the Full Council on 14 January 09. It was agreed that the AO would advise the group of the outcome of this process at the next meeting.

### **• Production of Core Paths Plan**

The AO provided the group with copies of the maps to examine and examples of the supporting information to discuss. The group agreed that the proposed formats appeared to be appropriate. Volunteers were sought from the group to agree the final wording and layout of the Plan and to judge the outcome of the Core Paths logo competition in early December. RL and Councillor Highgate agreed to assist with this process. It was agreed that the AO would prepare the materials and arrange a mutually agreeable time and location.

The group discussed the format for production and the methods of distribution of the final plan. It was agreed that it is necessary to keep the costs to a reasonable level and that as the cost of producing the paper documents is quite prohibitive it was more economically viable to distribute CD ROM copies free of charge to interested parties. The group agreed that it would be advantageous to provide reference and loan copies to Libraries and key local facilities and attractions. It was agreed that copies would also be provided to partner organisations and Forum representatives to enable them to disseminate the information through their networks. It was agreed that the AO would provide proofs of the final document at the next Forum meeting.

The group agreed that the most appropriate way to promote the core paths was through the production of local maps and leaflets. The need for leaflets to be produced in a phased process as supplies of existing leaflets diminish was discussed. It was agreed that this would be the focus of the promotional activities in 2009/10 and that opportunities for partnership working with other organisations should be investigated where appropriate.

### **Launch of Core Paths Plan**

The group discussed potential methods of launching the Core Paths Plan. It was agreed that subject to the adoption of the Plan, the launch should be combined with the Forum AGM to ensure maximum benefits and publicity. The Chair proposed that the new Convenor of the National Access Forum, Richard Cooke, should be invited as the main speaker. It was agreed that the Chair would invite Mr Cooke and advise the AO accordingly.

The timing and location of the meeting were also discussed and it was felt that a weekend meeting would not be required as it would not offer any additional benefits at this stage. It was agreed that the AGM would be held during the week, in the Three Towns area and at the same time as normal Forum meetings to enable Island residents to participate. The two potential dates identified were 1 April and 4 April. It was agreed that the AO would investigate the availability of venues and speakers and advise the group accordingly.

## **Draft Single Outcome Agreement**

The group was provided with a copy of the relevant sections of the Draft Single Outcome Agreement (SOA) and copies of the PfAP and NAC Planning Services responses to the consultation for their consideration. MF provided an outline of Planning Services response to the consultation. RL highlighted the importance of the SOA in relation to future budgetary allocations and funding applications. The group noted that comments were not being invited on the proposed outcomes and only on the context and proposed indicators.

The group endorsed the comments made by both organisations and agreed that its response would highlight this endorsement and reflect the main points made within the two responses. The group highlighted their disappointment in the lack of internal consultation prior to the development of the Draft SOA and on the short time frame for the public consultation. The group agreed that the Chair and AO should finalise the response and advise the Community Planning Partnership that they would welcome further consultation on the development of the SOA Action Plan.

## **AOCB**

Funding opportunities – Discussion arose on funding opportunities such as LEADER and the Landfill Communities Fund (LCF). MF provided an outline of the LCF process and the need for registration of both the applicant and project through ENTRUST the regulatory body for the scheme. MF also highlighted that the Council's scheme is regularly over subscribed and that other organisations also disburse Landfill funding. The group agreed that the LEADER funding should be investigated fully to ensure that the rural areas of North Ayrshire benefit fully from the scheme. RL highlighted the benefits of a joined up approach to funding applications. KS advised that LEADER funding cannot be awarded until the full funding package has been confirmed. The group discussed the issues that this position can raise.

Brodick to Corrie Proposed Cycle Route – GT advised the group that two meetings have been held of the Brodick to Corrie Cycle Route support group, which includes representatives from the Community Councils, Sustrans and Arran Bike Club. The group has formed to examine the way forward in relation to the National Cycle Network (NCN) Route 73 between Brodick and Lochranza with the long term vision of creating an off road route between Brodick and Corrie. GT advised that the long term vision would be to create a route to Sustrans' NCN standard to encourage use of the route. The group has identified a number of potential opportunities improve the current on road provision in the short to medium term. A meeting is being organised between GT, the AO and representatives from Roads and Transportation Services to investigate these proposals further. It was agreed that GT and the AO would provide an update on this meeting at the next Forum meeting.

## **Close of meeting**

LB thanked the group for participating in the meeting and reiterated that the next meeting will be in March 2009, date to be confirmed.