

**The Highland Council
Ross and Cromarty Local Access Forum**

Minute of Meeting of the Ross and Cromarty Local Access Forum held in the Chamber, Council Offices, High Street, Dingwall on Wednesday 2 July 2019 at 2.00 pm.

Present:

Mr G Adam, Mr R Chalmers, Mr N Chisholm, Mr R Forrest, Mr T Forrest, Mr F Fotheringham, Mr N Fraser, Mr J MacKenzie.

In Attendance:

Mr P Waite, Access and Long Distance Route Manager, Development and Infrastructure Service
Mrs A MacArthur, Administrative Assistant, Chief Executive's Office

Mr R Forrest in the Chair

1. Apologies for Absence

Apologies for absence were received from Dr S Campbell, Dr I Cockburn and Mr H Munro.

2. Confirmation of Minutes

There had been submitted for confirmation as a correct record the minute of meeting of the Ross and Cromarty Local Access Forum held on 28 November 2018 which was **APPROVED**.

3. The Highland Core Path Plan Review – West Highlands and Islands

The Access and Long Distance Route Manager provided the following updates to the Core Path Plan Review:

- i. West Highlands and Islands – it had been hoped that the draft amended plan would go out to consultation at the end of May but this had been delayed due to the need to consult on the Strategic Environmental Assessment and should now go out later this month. This would be an on-line consultation and forum members would receive a link.
- ii. The Access and Long Distance Route Manager outlined the proposed new paths. The Achonachie Dam-Torrachilty path proposed by Mr Chisholm was considered but it should be borne in mind that rights of way could not legally be formed over a statutory undertaking which included dams and railway lines although core paths have yet to be tested. SSE had made clear at a meeting on site with Forum members their reasons for opposition to access across this dam for security and so it was deemed unlikely to achieve designation here. However a core path has

been proposed over the Lochluichart Dam where there is not the same security issue. Network Rail appears to accept rights of way, and by extension core paths, where they had existed before the railway line. During the last submission to Scottish Ministers of the Core Path Plan, the Reporter had agreed the paths up to the railway line but left the actual crossing of the railway line to the Scottish Ministers. Network Rail had objected to two paths as they crossed the railway in both Dingwall and Achnashellach, and no decision on these had yet been received.

The path over Achnashellach level crossing was out for consultation again along with another level crossing nearby.

- iii. Inner Moray Firth – the Development Plan Team had put out a call for core path changes for the Inner Moray Firth Plan to the press and consultees. The changes received so far to the Inner Moray Firth area had been circulated and the consultation ended at the end of August, further routes may still be added before the final draft.

On a query on the building of a cycle path from Avoch to Munlochry it was stated that core paths are mainly allocated to existing paths, if there was no existing path the route can be outlined in the Local Development Plan as an aspirational route. There was an existing core path as far as the bird hide already.

The update on the Core Path Plan reviews was **NOTED**.

4. Exemption from Access Rights, S11 Land Reform (Scotland) Act 2003

The Access and Long Distance Route Manager advised that this was the annual request for exemption from access rights over the area for the Black Isle Show held from the 31 July to 2 August 2019.

Thereafter, it was **AGREED** to allow Exemption from Access Rights in terms of Section 11 of the Land Reform (Scotland) Act 2003.

5. Access Issues Updates

i. Drynie Woodlands

The Access and Long Distance Route Manager stated that he had met with the manager of the Drynie Estate were based at the Mains of Drynie. The area was used for the production of Christmas trees with shooting further up the hill. The white area shown on the map was hardstanding and used for processing and packing the trees. Issues arose when car parking blocked the track entrance. This was a private road but people were using the road and parking further into the area. The houses in the area had previously been empty and people had been using the track beside the houses. The houses were now occupied and privacy had become an issue. The estate would like to close off this area to the public and then guide public towards a different area for

parking. If they outlined a space for car parking (an area on the map was suggested), with good signage, this would be the best option. In relation to the shooting these were common problems and the owners were pointed to existing guidance in the code and the outdoor access website.

The position was **NOTED**.

ii. Chalet No 5, Mellon Udrigle

The Access and Long Distance Route Manager provided an update on the Chalet at Mellon Udrigle. The owners had been against the original suggestion that fencing round the decking would be an option. Fencing within the boundary with enough space outside of the fence for an alternative path was suggested. The alternative route should be favourable but unfortunately this suggestion was through a boggy area. The Access and Long Distance Route Manager was visiting the site later in the week, the Forum was content that he make a decision following assessment of the area.

Thereafter it was **AGREED** that the Access and Long Distance Route Manager visit the site and decide on the best course of action.

iii. Rua Reidh, Gairloch

The Access and Long Distance Route Manager provided an update on Rua Reidh. He outlined the ongoing issues with the current owner of the lighthouse, shouting out at people arriving in cars. There was no more that could be done as this case was with the Council's litigation team.

Thereafter, the position was **NOTED**.

6. National Access Forum Matters

The minutes of the last meeting of the National Access Forum held on 29 May 2019 were available and would be circulated.

7. Any Other Business

The Access and Long Distance Route Manager provided an update on the Millnain Croft in Strathpeffer. There had been no further contact although notification of the core path proposal would be sent shortly. The Peffery Way Group had written to the landowner suggesting funding and management but had had no response.

The National Access Forum had produced a guide on North Rides Mountain Bikes Trails and this was available on line as a downloadable document. Landowners preferred promoted routes to unofficial routes. The Forestry Commission often reinstated grounds where unofficial trails had been made in areas that the Forestry Commission did not approve of.

At Rogie Falls a few metres upstream of the footbridge there was now a very elaborate and expensive locked gate at the foot bridge with a no entry sign. These works were inappropriate, the gate was a huge steel structure. This area belonged to the Forestry Commission and the Access and Long Distance Route Manager would investigate.

The gates at Ledgowan were still locked.

Motor homes were then discussed. Between Kinlochewe and Shieldaig, in one pass, there had been 38 motor homes parked off road. There appeared to be confusion amongst the motor home community over the term wild camping. Parking a motor home off the side of a road was not considered wild camping. Motor homes could only park at the side of the road where they were not causing an obstruction.

Mr G Adam would like to see the Council engage with the Motor home rental firms to give advice to campers on where to park.

In relation to Craig Wood, Dingwall, the Access and Long Distance Route Manager advised that this matter was now partially resolved. The house owner now had planning permission and had agreed to reinstate the path to its previous condition. The path in the meantime had been reinstated into a passable state. The Council was now awaiting a decision from SEPA on how much of the spoil could be removed safely from the woodland.

The position was **NOTED**.

8. Date of Next Meeting

It was **NOTED** that the next meeting would be confirmed following a doodle poll of members and would likely be in November 2019. A request was made that at least one month's notice of the next meeting was given.

The meeting ended at 4.10 pm.