

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

Minute of the Meeting of the Ross and Cromarty Local Access Forum held in the Council Chamber, Council Offices, Dingwall on Friday 14 March 2025 at 11.00am.

Present:

Cllr C Birt
Mr N Chisholm
Mr A Dorin
Mr R Forrest
Mr T Forrest
Mr F Fotheringham

Cllr MM MacCallum
Mr J MacKenzie
Mr H Munro
Mr N Shapcott
Mr D Tidmarsh

In Attendance:

Mr P Waite, Outdoor Access and Long Distance Route Manager
Ms G MacPherson, Committee Officer

Mr Robin Forrest in the Chair

1. Welcome

The Chair welcomed everyone to the Forum and there were no declarations of interest.

2. Apologies for absence

An apology for absence was intimated on behalf of Mr N Fraser.

3. Confirmation of minutes

There had been submitted the minute of the meeting of the Ross and Cromarty Local Access Forum held on 19 November 2024 which was **APPROVED**.

The presentation of the active travel route between Munlochy and Avoch would be deferred to the next meeting due to the availability of those wishing to attend the discussion.

4. The Highland Core Path Plan Review Update

The Outdoor Access Manager continued to await direction and clarification from the Scottish Government (SG) since the SG had said that level crossings would not be considered as part of a core path.

Since the last meeting, Network Rail had withdrawn from meetings, and while it had been said that there would be no issue with anyone crossing over a level crossing, this had not been confirmed in writing.

During discussion, the following points were raised:-

- ending the core path on either side of the level crossing might require a new public consultation;
- the National Access Forum planned to write to relevant Scottish Ministers and it was suggested that the Deputy First Minister of Scotland, Kate Forbes, be contacted;
- it was asked what Network Rail might consider a trespass;
- examples of gates and their suitability for horses and cyclists were discussed; and
- it was questioned why a tractor could cross the level crossing but not another vehicle or cycle.

The Forum **NOTED** the update.

5. The Highland Council Access Ranger Team Update

The Forum was delighted to learn that the Highland Council Budget 2025/26 had included a budget for an Access Ranger Team in the coming year. The recruitment process had started, with a proposed 18 rangers due to patrol Highland by the Summer.

During discussion, the following points were raised:-

- information was sought regarding legislation and the effectiveness of handling fly tipping, fouling, littering and camp fires. A response was provided;
- it was hoped that the rangers might provide assistance in rural areas in terms of parking and there was a suggestion to issue parking fines. The Outdoor Access Manager would enquire with the Parking Enforcement Team;
- many infringements required corroboration and a fiscal report rather than an on-the-spot fine;
- rangers had previously been provided with a security alarm but the wearing of a body cam had been considered;
- a new social media campaign was suggested; and
- if the visitor levy was introduced, this might provide future ranger income however it was not guaranteed that this would be the case.

The Forum **NOTED** the update and expressed thanks to the Council for providing the budget to allow the rangers this year.

6. Access Issues

Peffery Way – Millnain

A Draft Path Order had been submitted to the SG.

Muckernich, Tore

A site visit had taken place prior to this meeting.

The Outdoor Access Manager provided background and context to the concerns raised. Photographs and images of the site were shared and descriptions of each were given.

The community of Tore currently walked along a longer, less accessible route. Glass was embedded into the path, and it was reported that dogs had cut their paws. The community wished the original/alternative path to be restored. It would allow the woods to be used as a learning area for the local school and offered a safer route for walking.

During lengthy discussion, the following points were raised:-

- the original path was currently unusable with whins and other vegetation encroaching on the route, and there would be no obligation on the landowner or Council to clear the path if access rights were not exerciseable in the farm building area;
- machinery and silage bales were causing an obstruction but it was felt by some that the silage bales were in a sensible place;
- curtilage on an industrial building was dynamic, and the landowner might be entitled to exclude access to a wider area when farming activity was taking place;
- improving the longer route might be a suitable solution to this issue however the landowner of that route was unknown;
- differing views were expressed although the majority of the Forum felt that access rights did apply.

Thereafter, the Forum were minded to enforce no action at this point and asked the Outdoor Access Manager to identify the landowner of the path currently in use.

Strathpuffer

The Strathpuffer 2025 event went ahead without opposition in January as it had been felt that not giving exemption would have been too short notice, could have potentially deprived local communities and businesses of income, and would have been unfair to potential competitors if the event had to cancel. A condition was added that that works be completed by end of March 2025.

The Outdoor Access Manager and two Forum members had met with the event organiser and another local Councillor on 20 February to visit the paths requiring attention. The organiser had felt that not all areas requiring attention were due to Strathpuffer, however agreed to contact some path contractors to look at the most affected areas and to seek funding opportunities. A map and list of areas requiring work had been provided last year. However, it was recognised that a completion date of 31 March was now unrealistic and 30 June was agreed, as the day before entries for 2026 commenced.

During discussion, the following points were raised:-

- it had been hoped that the organiser would attend this meeting but he had declined and the Forum expressed disappointment in this regard;
- a situation of a number of people repeatedly travelling over the same area made it difficult to blame the occasional user;
- there was concern that if progress was not made in terms of repairs, the event could potentially be under threat and the Forum did not want this to be the case;
- the focus of the works would be on the core paths; and
- the event had never been pushed to repair until last year, and this was due to cumulative damage over the years.

Thereafter, the Forum **NOTED**:-

- i. the submission date for the Strathpuffer 2026 application for exemption was 4 April 2025, and the Forum would be consulted on this; and
- ii. a report, following Senior Manager and Legal advice would likely be presented to the next area committee by the Outdoor Access Manager.

Edderton

The Outdoor Access Manager provided background and context to the issue. It had been discussed previously at the Sutherland Local Access Forum and related to access on Edderton Hill and the core paths to the south of Edderton.

The Outdoor Access Manager described the access into a wood, and it was said that the community, which included a nearby stable and livery yard, rode into the wood and beyond. There were various tracks, with some suitable for vehicles and some not.

The landowner had erected signs which declared no access, and they had locked gates. Walkers could access the wood via a kissing gate but there was no access to horses, cyclists or mobility scooters. Upon request, the landowner unlocked the gates to core paths but the landowner had been concerned about particularly soft areas, and these were shown to the Forum on a map.

While core paths should not be restricted, there was potential for damage on the softer areas of the core paths. Alternative and suitable routes for the stables had been suggested, however access would be via a gate which was locked, and the landowner did not wish to change the tracks.

During discussion, the following points were raised:-

- under the Land Reform Act, the stables' commercial responsibility would include avoiding poor areas so as not to cause damage;
- there was an understanding why the owner did not wish to change the wood as it was special and had won awards, however it was felt that the Outdoor Access Manager offered a practical solution;
- signs could be erected asking the community to avoid the soft areas during wet weather;
- locking gates was unacceptable; and

- information had been sought by the Outdoor Access Manager from NatureScot.

The Forum looked forward to an update at the next meeting.

Inverlael

There had been discussions last year with Forestry Scotland regarding a bridge on a core path. There had been plans to remove it but Forestry Scotland accepted it would be advantageous to keep it, if it could be safely maintained.

During recent tree felling works, access to some paths had been blocked. Alternative route signs would have been helpful, however the works were now finished.

The Forum **NOTED** the update.

7. Exemption from Access Rights – S11 Land Reform (Scotland Act) 2003

There were none at present, but at least 3 were expected this year:-

- i. Strathpuffer
- ii. Black Isle Show
- iii. Filming on Fyrish

In terms of filming at Fyrish, there was confidence locally as the television production team appeared to look after the tracks and wildlife, as well as visiting the community.

8. National Access Forum Matters

Local Access Forum guidance documents were under review. Any comments were to be made directly to the Outdoor Access Manager.

9. Any other business

Redcastle

A member of the Access Team had visited the site and an update had been provided to the Outdoor Access Manager. It had been said that the signs were to be removed and the gate unlocked. The site would be revisited in the next few weeks.

Forum

Information was sought, and provided, regarding the constitution of Forums. The Forum was reminded that each regional area decided their own level of involvement.

It was felt that this Forum was a very male-led group with only one female. The outcome was not deliberate and the group would welcome more female members when the opportunity arose.

There had been a suggestion of a Vice-chair of this Forum and this would be discussed in due course.

In terms of organising future meetings, Doodle Poll remained helpful. Hybrid meetings were welcomed by some.

Powerline tracks

In terms of the Spittal to Loch Buidhe powerline, information was sought, and provided, regarding the tracks that lead to each tower. It was believed there was intention to retain the tracks, however in other powerline sites the land had been put back to its original state.

It was felt that some of the tracks might offer opportunities for recreation, such as walking or informal camping. In contrast, there was concern that current aesthetically pleasing paths might be enlarged to provide access to heavy vehicles.

The Forum **NOTED** the business.

10. Date of Next Meeting

The date of the next meeting would be decided via Doodle Poll and it was asked if the meeting could be hybrid. The Doodle Poll would be circulated in July.

The meeting ended at 1.55pm.