



**Clackmannanshire  
Council**

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**The Clackmannanshire Access Forum**

**Minute of meeting held on Monday, 3rd September 2013  
at Lime Tree House**

|   | <b><u>Action</u></b> |
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| <b><u>Present</u></b>   |                      |
| <b>Landowners/Land Managers:</b> James Cullens, Sir Robert Stewart, John Wilson   |                      |
| <b>User group representatives:</b> Eric Davidson, Gordon Durward, Linda Howson<br>Colin Thomson (Chair)   |                      |
| <b>Community group representatives:</b> Enid Trevett  |                      |
| <b>Agency and advisory representatives:</b>   |                      |
| <b>Council:</b> Councillor Balsillie, Martin Dean, Euan Hills   |                      |
| <b><u>1.0 Apologies</u></b>   |                      |
| <b>1.1</b> Apologies were received from:<br>- Dick Clark<br>- Caroline Crawford<br>- Sarah Eaton<br>- Brian Poett<br>- Neil Ramsay<br>- David Scott<br>- Niall Urquhart |                      |
| <b><u>2.0 Approval of draft minute of meeting held on 28th May 2013</u></b>   |                      |
| <b>2.1</b> Gordon proposed that the minutes were approved. This was seconded by Eric.   |                      |
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| <b>3.0 Matters arising from meeting held on 28th May 2013</b>  |               |
| <p><b>3.1 Use of stiles adjacent to core path 157</b> Martin reported that the Arndean Forest Plan showed the woodland that the adjacent route (for use by dog walkers when young animals are present in fields on the route) would pass through is due to be felled in 2014, with re-planting due to take place in 2015. He suggested that in light of this, the installation of stiles on the alternative route should be put on hold.</p> <p>Councillor Balsillie suggested that stiles might still be worth installing if the felling isn't imminent. Sir Robert agreed to investigate this and report back.</p>   | <b>Sir RS</b> |
| <p><b>3.2 Access to Clackmannan Tower along core path 99</b> Martin reported that the total cost of the gates, materials and plant was £1346, adding that the cost had been shared with Historic Scotland who had provided all the labour for the work.</p> <p>Enid reported that the Disability Awareness Group were pleased with the work.</p>   |               |
| <p><b>3.3 Inner Forth Landscape Initiative projects</b> Martin reported that the deadline for project submissions was past at the last meeting and that (as per the e mail he sent out to Forum members on 30th May) there was not any scope for further project submissions.</p>  |               |
| <p><b>3.4 Community Environmental Improvement Fund - Hardy's Link</b> This is covered under item 5.0 below.</p>  |               |
| <p><b>3.5 Minor works - signs, gates, bollards etc</b> Enid reported that Gartmorn Dam/core path 121 had been resurfaced as a result of successful funding applications made by Clackmannanshire Disability Awareness Group to the Community Environmental Improvement Fund and Forestry Commission Scotland, and not to the Heritage Lottery Fund. The work was undertaken by the Conservation Trust Volunteers.</p>  |               |
| <p><b>3.6 Verbal abuse</b> Linda reported that the motorist verbally abused a dog walker, not a horse rider, on the Fishcross to Alva road</p>   |               |
| <p><b>3.7 Marestalk growing through the tar on the new path at Menstrie</b> Martin reported that he has sent e mails to colleagues in Roads on 3rd June and 29th August asking whether marestalk could be stopped, but had not received a response. He undertook to get a response to his query.</p>   | <b>MD</b>     |
| <p><b>3.8 Signage between Coalsnaughton and Gartmorn Dam</b> Martin reported that he had looked at the Coalsnaughton sign to Gartmorn Dam on 18th June. He found 2 signs at the north end of James Place - a white one saying "Walk way to Gartmorn Dam" and a green path sign ca 30m down the road.</p> <p>The latter was aligned so it was parallel to James Place, which meant it wasn't visible from the main road. This was turned around so that it is now visible from the main road. The scope for moving the green path sign nearer the main road is limited because of the narrow road and garden space.</p> <p>Martin reported that he had not had chance to look at the signs pointing from Gartmorn Dam to Coalsnaughton and undertook to do this in the near future.</p> | <b>MD</b>     |
| <p><b>3.9 East Lodge, Inglewood</b> Martin reported that Ceteris had written to the developer highlighting the right of access past the Lodge, had not received a response and were not intending to pursue the matter further.</p> <p>Martin quoted Andy Wyse, a Council solicitor: "Where such a right is disputed (as</p>   |               |

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| <p>here), it may be necessary to resort to extensive litigation by raising a court action known as a declarator in the sheriff court. The success or failure of such an action will depend entirely upon the character and strength of the evidence from the witnesses claiming entitlement to use the route. Before the Council embarked upon what could be a lengthy and expensive court action it would have to be satisfied that there were sufficient witnesses willing to appear in court who could give evidence of public usage as of right covering the minimum period of twenty years."</p> <p>Martin added that the Council had no direct evidence to support the contention that the route is a public right of way and commented that the route was not highlighted during the Core Paths Plan consultations and is not a core path, and that Clackmannan District Council had employed an Access Officer in the 1990's whose role it was to investigate and, where there was sufficient evidence, assert rights of way. The former Access Officer had informed Martin that the route wasn't highlighted to them as a potential right of way during their investigations.</p> |              |
| <p><b>3.10 Access Forum Partnership Agreement</b> This was sent out to Forum members with the previous minutes and is due to be discussed further in item 4.0 below.</p>   |              |
| <p><b>4.0 Partnership agreement</b></p>  |              |
| <p><b>4.1</b> Martin highlighted that the Partnership Agreement was produced in November 2009 and referred to specific sections that might be reviewed, including:</p> <ul style="list-style-type: none"> <li>• Quorum - a meeting is quorate if just 3 people attend - is this acceptable?</li> <li>• Failure to attend meetings - does this need changed?</li> <li>• Communications plan - this hasn't been developed - should it be?</li> </ul> <p>It was agreed that Colin and Martin would propose amendments for discussion at the next meeting of the Forum.</p>  | <b>CT/MD</b> |
| <p><b><u>5.0 Update (including Tillicoultry Glen, Hardy's Link, Ochils Landscape Partnership, Give Me Cycle Space and Events) - Access and Countryside Projects Officer</u></b></p>  |              |
| <p><b>5.1 Tillicoultry Glen</b> Martin showed the draft designs for the works to the path to Forum members. He reminded them that the design works did not include any works to stabilise rocks above the path.</p> <p>James raised concerns that if works are done to the path but not to the unstable rocks above the path, this would expose users to significant dangers. Councillor Balsillie acknowledged this concern, but suggested that it might be possible to address this by warning access takers of the risk.</p> <p>Martin commented that the glen is a dynamic environment and that root growth and freeze/thaw of water would continue to destabilise the rocks in the future. He also reported that the designs would be completed this autumn.</p>  |              |
| <p><b>5.2 Hardy's Link</b> Martin reported that work to replace the Hardy's Link bridge is due to start on 9th September.</p> <p>He reminded Forum members that the work was possible because of funding secured by Clackmannanshire Riders Access Group from the Community</p>  |              |

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| <p>Environmental Improvement Fund and from the Community Chest Grant, and showed the drawings for the new bridge.</p> <p>He commented that the works to remove the existing bridge and install the new one would take 2 weeks. He also highlighted the measures that had been put into place to inform path users of the works. These included signage, posting the information on Clacksweb and in the local papers.</p> <p>It was suggested that the new bridge should be officially opened.</p>  | <b>MD</b> |
| <p><b>5.3 Ochils Landscape Partnership</b> Martin reminded Forum members that the OLP are delivering 22 projects in the Hillfoots area and that some of these would benefit outdoor access.</p> <p>He reported that a new bridge had been installed over the Gannel Burn - on the main path linking Tillicoultry with Ben Cleuch.</p> <p>He also reported that drystone walls had been installed alongside some of the paths in Alva Glen and that these would stabilise adjacent earth banking. He also mentioned that a framework contract had been awarded for the path works and that further path improvements would be taking place in the near future.</p> |           |
| <p><b>5.4 Cycling - Give Me Cycle Space</b> Martin reported that the Give Me Cycle Space campaign had run from April to June and that it had been very successful in raising awareness of cycling and cycle safety throughout Clackmannanshire. He mentioned that it had been delivered by several different Council services and gave a brief presentation on the campaign. This included highlighting the training that had taken place in schools, advertisements, awards, bike maintenance sessions and bike hire. 15 schools and over 300 children were involved.</p>  |           |
| <p><b>5.5 Minor works - signs, gates, bollards etc</b> Martin reported that Community Payback personnel had cut back undergrowth on a number of paths, that 'no motorbikes' signs had been posted at some locations and that the old bridge at Cambus had been fenced off because of rotten decking timbers.</p>  |           |
| <p><b>5.6 Path agreement</b> Martin reported that a path agreement had been concluded for a path, which is not a core path or right of way, but is an important route for local people; between Simpson Avenue and Bards Way in Tillicoultry.</p>   |           |
| <p><b>5.7 Open Space Strategy</b> Martin reported that the Open Space Strategy, which includes paths, goes to Council on 24th October and that consultations will take place in November.</p>   |           |
| <p><b>5.8 Disability Awareness Group</b> Martin advised that the Group continued to meet on a regular basis to discuss issues relating to disabled access. A barrier which prevented disabled people from taking access on a path near Sterling Mills was recently removed by Community Payback personnel.</p>  |           |
| <p><b>5.9 SOAC</b> Martin reported that he had provided advice to landowners on access rights through fields with farmed deer and on geocaching.</p>  |           |
| <p><b>5.10 Events</b> Martin reported that events continued to take place on core paths and elsewhere in Clackmannanshire, and that recent events had included:</p> <ul style="list-style-type: none"> <li>• Duathlons (2)</li> <li>• Hill races (2)</li> <li>• Horse riding event</li> <li>• Gartmorn Dam Tercentenary events</li> </ul>   |           |

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| <ul style="list-style-type: none"> <li>Ochils Landscape Partnership events</li> </ul>  |            |
| <p><b>5.11 Contractors/planning</b> Martin reported that he had met with Scottish Water to check that their works did not adversely impact on the Devon Way at Dollar and with builders to check their works did not impact on core paths to the east of Dollar.</p>   |            |
| <p><b>5.12 Ramblers - Medal Routes</b> Martin reported that he had recently received leaflets for the 3 (gold, silver and bronze) medal routes at Gartmorn Dam Country Park.</p>   |            |
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| <p><b>6.0 Inner Forth Landscape Initiative</b></p>   |            |
| <p><b>6.1</b> Martin reported that 4 access projects had been submitted. These are:</p> <ul style="list-style-type: none"> <li>Black Devon Wetland Trail</li> <li>Cambus Whisky, Wetland and Forth Wander</li> <li>Clackmannan and Alloa Park Access Improvements</li> <li>Inner Forth Inches Trail</li> </ul> |            |
| <p><b>6.2</b> The Black Devon Wetland Trail and Cambus Whisky, Wetland and Forth Wander will be delivered in year 2 (2015-16). The Clackmannan and Alloa Park Access Improvements will be delivered in year 3 (2016-17) and the Inner Forth Inches Trail will be delivered in year 4 (2017-18).</p>            |            |
| <p><b>6.3</b> All the projects involve surface improvements, installing gates where necessary and signage.</p>   |            |
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| <p><b>7.0 Feedback - Forum members</b></p>   |            |
| <p><b>7.1</b> Councillor Balsillie thanked the Forum for its work on access matters. He also asked the Forum to identify 3 key things that they would like to see the Council do for access. It was agreed these would be discussed at the next meeting.</p>   | <b>All</b> |
| <p><b>7.2</b> Enid reported that TCV had undertaken further improvements to the path around Gartmorn Dam. Pot holed sections of path have been improved with type 1 and whin dust, and drainage had been upgraded where required.</p>  |            |
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| <p><b>8.0 Any other business</b></p>   |            |
| <p><b>8.1</b> Martin reported that Euan was leaving the Council to take up a post with the Woodland Trust and thanked him for his contribution to outdoor access in Clackmannanshire.</p>  |            |
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| <p><b>9.0 Time, date and format of AGM</b></p>   |            |
| <p><b>9.1</b> The next meeting of the Clackmannanshire Access Forum will be from 2.00pm - 4.00pm on Tuesday, 26th November 2013 in Lime Tree House.</p>  |            |
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