



# Clackmannanshire Council

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## The Clackmannanshire Access Forum

### Minute of meeting held on Tuesday, 24th May 2016 at Kilncraigs, Alloa

	<u>Action</u>
<b><u>Present</u></b>	
<b>Landowners/Land Managers:</b> Ian McFarlane, Brian Poett	
<b>User group representatives:</b> Linda Howson, John Hutcheson, Barbara Maddox	
<b>Community group representatives:</b> Dick Clark (Chair), Caroline Crawford, Alison Fox	
<b>Council:</b> Martin Dean	
<b><u>1.0 Apologies</u></b>	
1.1 Apologies were received from: - Eric Davidson, David Scott, Sir Robert Stewart	
<b><u>2.0 Approval of draft minute of meeting held on 8th December 2015</u></b>	
2.1 Linda proposed that the minutes were approved. This was seconded by John H.	
<b><u>3.0 Matters arising from meeting held on 8th December 2015</u></b>	
<b>3.1 Partnership agreement - Public agencies stakeholder group</b> Martin reported that the Forum's AGM had approved the removal of the agencies and advisory stakeholder group and that the Partnership Agreement had been updated.	
<b>3.2 Sign duplication</b> Martin reported that some signs in the Tillicoultry area had been removed to address duplication concerns. Alison commented that the Diamond Jubilee Hillfoots Way is difficult to follow westwards from Tillicoultry and it was agreed that this should be brought to the attention of the Coordinator of Enabling Projects in Clackmannanshire - the body	

responsible for maintaining Ochils Landscape Partnership projects.	<b>MD</b>
<p><b>3.3 Harviestoun - deer movements</b></p> <p>Martin reported that he had written to Nicholas Poett suggesting that when deer are being moved, it would be helpful for access takers if an additional sign was placed at the north(Harviestoun Castle) end of the path. Nicholas had responded and said he thought that was a good idea.</p>	
<p><b>3.4 Brandyhill Wood</b></p> <p>Martin reported that the planning application for Brandyhill Wood had been withdrawn.</p>	
<p><b>4.0 AGM/Forum membership</b></p>	
<p><b>4.1</b> Martin reported that the AGM had taken place in the Dumyat Centre in Menstrie on 23rd February 2016 and commented that it had been well attended. The Chair reported on the work of the Forum in 2015, elections took place and there were two interesting and informative presentations - one by Roxanne Kerr of Paths For All and the other by Yvonne Boles of the Royal Society for the Protection of Birds.</p>	
<p><b>4.2</b> Martin reported that the Partnership Agreement required one member of each stakeholder group to stand down at the AGM. He advised that a vacancy existed in the Landowners/Land Managers group, that Linda had stood down from the Users group and that David stood down from the Community group.</p>	
<p><b>4.3</b> Martin reported that both Linda and David had been re-elected and that Ian McFarlane was subsequently invited to fill the vacancy in the Landowners/Land Managers group.</p>	
<p><b>4.4</b> Martin reported that the Forum membership for 2016 is:</p> <p><b>Land Managers Representatives</b>  Ian McFarlane  Brian Poett  Sir R. Stewart  John Wilson</p> <p><b>User Group Representatives</b>  Eric Davidson  Linda Howson  John Hutcheson  Barbara Maddox</p> <p><b>Community Group Representatives</b>  Dick Clark (Chair)  Caroline Crawford  Alison Fox  David Scott</p> <p><b>Council Representatives</b>  Martin Dean</p>	
<p><b>4.5</b> There followed some discussion about the decision to remove agencies and advisory representation from the Forum. Dick advised that he had liaised with Scottish Natural Heritage, Paths For All and Scottish Water over their participation in the Forum, and that they had given changing priorities and</p>	

<p>dwindling resources for no longer being members. He also commented that Forestry Commission Scotland had been the sole agencies and advisory representation in recent years and noted that their contributions were informative and helpful.</p>	
<p><b>5.0 Coalpots Way</b></p>	
<p><b>5.1</b> Martin provided an update on what had happened since the last Forum meeting in December.  He advised that a letter had been sent to the residents informing them that titles had been investigated and that the Council was satisfied that access rights applied. This information was also forwarded to Ward Councillors and to the MSP for the area, who were also advised that a padlocked chain (which was serving as an obstruction) would be removed and that a section of grass verge would (with the consent of the landowner) be tarred to address muddying concerns.  Martin also reported that broken glass and tree branches had been placed on the route.  He advised that a further letter had been sent to the residents, in which the Council reiterated it's position that access rights are exercisable over the route and stated that should they wish to challenge this, they could do so by raising an application in the local sheriff court to have the matter determined under Section 28 of the Land Reform (Scotland) Act, which provides for the determination of the existence and extent of access rights over a particular section of land.</p>	
<p><b>5.2</b> Dick reported that he had met with Martin, Ian Doctor (Regularly Services Manager) and Andy Wyse (Team Leader of the Council's Legal Services), to discuss the matter.  He commented that Legal Services would not allow sight of the files relating to the case and that it would have been helpful to have been allowed to see these. He also commented that had the Forum been alerted to the dispute when it first arose in May, rather than in September, it might have been in a better position to give advice. Dick as Chair, also appealed to Forum members representing horse riders to use their influence to minimise horse use in that particular area and for the riders to respect others.</p>	
<p><b>5.3</b> John H commented that the Forum's role is advisory and that the duty to uphold access rights rests with the Council.</p>	
<p><b>6.0 Canyoning</b></p>	
<p><b>6.1</b> Martin reported that he was approached by the National Trust for Scotland over canyoning in Dollar Glen in June 2015 and that subsequent investigations showed that it was also a popular activity in Alva Glen, where it is often undertaken by commercial operators. Reference was made to a canyoning accident in Alva Glen in April 2016, in which the casualty was evacuated by helicopter  The possibility of canyoning taking place in other Hillfoots Glens was also discussed.  Martin advised that there isn't any reference to canyoning in the Scottish</p>	

<p>Outdoor Access Code, but that access rights are for recreational purposes and that these include a range of active pursuits, including rock climbing and swimming.</p> <p>The Adventure Activities Licensing Authority (whose role is to ensure that adventure activity providers follow good safety management practices) don't make reference to canyoning, but do list similar activities such as gorge walking and ghyll scrambling under climbing.</p> <p>It would appear that canyoning, which involves descending steep burns, often with waterfalls, is within access rights.</p>	
<p><b>6.2</b> Martin asked the Forum if they had any advice for the Council on canyoning. John H commented that canyoning has been taking place in the Fort William area for several years and suggested contacting Access Officers in Highland Council to see if they have any advice to give.</p> <p>Brian suggested contacting the British Canyoning Association and/or Scottish Natural Heritage to see if any information has been produced which promotes responsible canyoning - especially since some of the canyons where the activity is taking place have sensitive biodiversity.</p>	<b>MD</b>
<p><b><u>7.0 Tillicoultry Glen</u></b></p>	
<p><b>7.1</b> Martin reported that works in Tillicoultry Glen are to be addressed by 2 contracts.</p> <p>Contract 1 concerns rock stabilisation works and is underway with heavy scaling ongoing, vegetation removal almost complete and installation of rock bolts and anchors about to start. These works should be completed by early June.</p> <p>Contract 2 concerns path remediation works and is ready for acceptance, subject to Council approval. Funding for this work has also be sought from the Clackmannanshire and Stirling Environment Trust.</p>	
<p><b><u>8.0 Update (including Ochils Landscape Partnership, Inner Forth Landscape Initiative etc) - Access and Countryside Projects Officer</u></b></p>	
<p><b>8.1 Ochils Landscape Partnership/EPIC</b></p> <p>Martin reported that the Ochils Landscape Partnership has now finished. He also reported that a successor organisation, Enabling Projects In Clackmannanshire (EPIC), has been formed; that it is a constituted charity and that it aims to:</p> <ul style="list-style-type: none"> <li>• Maintain the OLP projects for 10 years</li> <li>• Deliver new projects throughout Clackmannanshire</li> </ul>	
<p><b>8.2 Inner Forth Landscape Initiative</b></p> <p>Martin reported that the Cambus Whisky and Wetland Wander has now been completed and that the Walk To The Wetland is partially completed. 1350m of path has been improved on the Cambus Whisky and Wetland Wander and 700m of path has been created at the Walk To The Wetland, where a further 925m of path are currently being created following delays linked to the creation of a SUDS pond.</p> <p>Martin commented that the Cambus Whisky and Wetland Wander improvements did not link with the road network at Blackgrange because consideration is being</p>	

<p>given to diverting the path at this location.  In 2017-18, the final year of IFLI, 2 more access projects will be delivered. These are the Inner Forth Inches Trail (which is between Alloa and Cambus) and the Clackmannan and Alloa Park Access Improvements, which links with the Walk To The Wetland.</p>	
<p><b>8.3 Wee cycle/Wee walk</b>  Martin reported that the Council had launched the Wee cycle/Wee walk initiative to promote walking and cycling on active travel routes in Clackmannanshire.</p>	
<p><b>8.4 National Cycle Network</b>  Martin reported that 850m of new cycle path has been created between Walton Crescent and the Health Centre in Dollar.</p>	
<p><b>8.5 Greener Greenways</b>  Martin advised that Greener Greenways has, with the help of volunteers and contractors, improved the biodiversity of some of our cycle paths.  On the NCN 767 between Alloa and Dollar, woodland has been thinned and some invasive plants have been removed.  On the NCN 768 between Alva and Tillicoultry, new hedges have been planted.</p>	
<p><b>8.6 Gartmorn Dam Country Park</b>  Martin reported that 550m of path have been improved on the circular route around the reservoir and that the access road has also been improved in the vicinity of the car parks.  He also advised that the inaugural meeting of the Gartmorn Dam Country Park Trust had taken place and that the group hopes to obtain funding for the Park that isn't available to the Council.</p>	
<p><b>8.7 Alva Glen</b>  Martin reported that a variety of safety works have been undertaken in Alva Glen, including:</p> <ul style="list-style-type: none"> <li>• safety signs</li> <li>• safety barriers</li> <li>• fencing</li> <li>• removal of trip hazards on the zig-zags</li> <li>• repair of 2 benches</li> <li>• re-decking of a bridge</li> </ul>	
<p><b>8.8 Other works</b>  Martin reported that the Grounds Maintenance Team have:</p> <ul style="list-style-type: none"> <li>• installed an access friendly gate on a core path east of Coalsnaughton</li> <li>• cut back hedging near Blackgrange</li> </ul> <p>He also advised that Community Payback personnel continue to do a variety of works on paths, including:</p> <ul style="list-style-type: none"> <li>• cleaning signs</li> <li>• cleaning information boards</li> <li>• replacing damaged signs</li> <li>• litter picking</li> </ul>	
<p><b>8.9 Events</b>  Martin reported that the path network continues to be used for events and that a</p>	

<p>variety of events have taken place recently, including:</p> <ul style="list-style-type: none"> <li>• running</li> <li>• cani-cross</li> <li>• equestrian</li> </ul>	
<b>9.0 Feedback Forum members</b>	
<p><b>9.1</b> Brian voiced concerns about irresponsible dog walkers not cleaning up after their dogs and not keeping their dog on a lead/under close control. He also produced a sign that Perth and Kinross Council display on their paths and asked whether something similar could be produced in Clackmannanshire. Martin commented that there had been a number of instances of sheep worrying in Clackmannanshire this Spring and that he had put out messages promoting responsible dog walking on the Council's social media pages. He also agreed to produce a draft sign promoting responsible access by dog walkers.</p>	<b>MD</b>
<p><b>9.2</b> Caroline reported that a 20 mph speed limit has been introduced to the Back Road between Menstrie and Alva - a route which is a part of the National Cycle Network and of the Diamond Jubilee Hillfoots Way, as well as being a core path and a right of way; and which is popular with access takers involved in recreation and active travel. She also raised safety concerns over the poor sight lines at the junction of National Cycle Network 76 and National Cycle Network 768, to the west of Tullibody. Martin agreed to look at this and to take appropriate action.</p>	<b>MD</b>
<p><b>9.3</b> John H reported a mine in the Glen of Sorrow. Brian asked John to send him location details.</p>	<b>JH</b>
<b>10.0 Any other business</b>	
<b>10.1</b> There was no other business.	
<b>11.0 Time and date of next meeting</b>	
<p><b>11.1</b> The next meeting of the Access Forum will take place from 2-4pm on Tuesday, 30th August 2016. It will be a site visit to look at access issues. Information about the venue and meeting point will be sent out nearer the time.</p>	<b>All</b>