



# Clackmannanshire Council

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## The Clackmannanshire Access Forum

### Minute of meeting held on Tuesday, 6th September 2011 at Kilncraigs

	<u>Action</u>
<b>Present</b>	
<b>Landowners/Land Managers:</b> James Cullens (Chair), Brian Poett	
<b>User group representatives:</b> Gordon Durward, Jane Preston, Liz Patton (for Linda Howson)	
<b>Community group representatives:</b> Caroline Crawford, David Scott, Enid Trevett	
<b>Agency and advisory representatives:</b> Tim Barratt, Alistair Lawson, Jane McArdle	
<b>Council:</b> Martin Dean, Euan Hills	
<b>1.0 Apologies</b>	
1.1 Apologies were received from: - Linda Howson - Sir Robert Stewart - Colin Thomson - Niall Urquhart	
<b>2.0 Approval of draft minute of meeting held on 31st May 2011</b>	
2.1 Alistair proposed that the minutes of 31st May 2011 were approved. This was seconded by Tim.	

<b>3.0 Matters arising from meeting on 31st May 2011</b>	
<p><b>3.1 Tourism</b> Martin reported that he had spoken to Carolyn McGill about how the Clackmannanshire and the Ochils Outdoor Guide for 2011 had been distributed, and that she advised him that:</p> <ul style="list-style-type: none"> <li>• 24,000 copies were distributed to each household in Clackmannanshire as an insert in the Council's VIEW newspaper</li> <li>• 500 were distributed through Cotswold Outdoor shops in Glasgow West End, Silverburn Glasgow and Livingston</li> <li>• 250 have gone to Library Services in Clackmannanshire</li> <li>• the remainder have been taken to events and to Gartmorn Dam Country Park</li> </ul>	
<b>3.2 Core path 40 diversion</b> Covered in item 5.0.	
<b>4.0 Update - Access and Countryside Projects Officer</b>	
<p><b>4.1 PFA involvement in Access Forums</b> Martin reported that Colin Ward of Paths For All had stood down from the Agency and Advisory representatives of the Forum. This decision was taken following restructuring at Paths For All, made in response to funding changes which have impacted on the way the organisation operates. The new funding settlement doesn't cover attendance at Access Forum meetings in Clackmannanshire or elsewhere and will see a focus on Local People:Local Paths and walking programmes.</p> <p>Martin acknowledged Colin's contribution to the Forum.</p>	
<p><b>4.2 SOAC - cows, calves and dogs</b> Martin reported that he had received a letter from Sir Robert regarding the Pitgober to Cowden Farm path which raised concerns for the safety of dog walkers given the presence of cows with calves. Martin reminded the Forum of the press release made by Ramblers Scotland and Scottish Land Estates which highlighted the need for dog walkers to be cautious near cows with calves. He also advised that he had visited the path concerned, but not found any cows with calves present. Fencing either side of paths where there are cows with calves was discussed, but it was recognised that this would be expensive and would not be feasible in most situations. It was agreed however, that signage warning dog owners of where there are cows with calves would be useful and that this, together with distributing the SOAC Dog Owners leaflet, should be trialled on the route.</p> <p><b>SOAC - horse dung</b> Martin reported that he had received a complaint regarding horse dung on the Devon Way. Posters, urging horse riders to clear up after their horse, have been posted on the path and Clackmannanshire Riders Access Group (CRAG) are distributing them around local liverys to promote responsible riding. CRAG have also arranged a workday on the Devon Way on</p>	<b>MD</b>

18th September.	
<p><b>4.3 Gubber Hill</b> Martin reported that works had recently taken place at Gubber Hill and that he had been monitoring the core path through the area to ensure it remained open and unobstructed. Tim commented that the Forestry Commission had an interest in the works because trees had been felled. Enforcement action has also been taken by the Council's Planning Authority.</p> <p><b>School Road, Muckhart</b> Martin reported that developers were using the path to access the rear of a property and that concerns had been raised in respect of the safety of users, not least because the path is used by pupils access the nearby primary school. Sir Robert is the landowner of the path and has written to Martin to say that he has had assurances that there will be no future use of the path by the developers once the work is completed. He also advised that the matter is to be discussed by Muckhart Community Council at it's next meeting.</p>	
<p><b>4.4 Core Paths Plan implementation</b> Martin reported that installation of signage and self-closing gates on core paths was ongoing, with the latter currently being installed in the Tillicoultry area.</p>	
<p><b>4.5 Joint NAF/LAF meeting</b> Martin reported that the annual joint meeting of the national and local access forums is due to take place on Wednesday, 19th October at the Loch Lomond and the Trossachs National Park headquarters at Balloch. There will be a mixture of presentation and breakout sessions, and Martin and James will be attending. Given that each Access Forum has a maximum of 3 places, there is scope for one more member of the Forum to attend should anybody else be interested.</p>	
<p><b>4.6 Access Strategy</b> Martin reported that the Outdoor Access Strategy was now being incorporated into an Open Space Strategy. The Open Space Strategy comprises 4 sub-groups (- formal open space, sports provision, community managed recreational provision and active travel, outdoor access and natural semi-natural provision) with a completion date of Friday, 18th November.</p>	
<p><b>4.7 Local Development Plan</b> Martin reported that the Local Development Plan has 5 "streams" - creating sustainable communities, enterprise and prosperity, environmental assets, implementation and monitoring, and area statements. He advised that he is involved in the creating sustainable communities stream by supporting in sections on green infrastructure and frameworks for new development, and on active travel and outdoor access.</p>	
<p><b>4.8 Menstrie Branch Line</b> Martin reported that the Menstrie Branch Line is due to be turned into a path this financial year, with funding for the works that are necessary (bridge and surfacing works) being provided by Clackmannanshire Council and</p>	

<p>Sustrans. Martin advised that he is also going to submit an application to the Clackmannanshire and Stirling Environment Trust for monies to contribute towards the cost of the works.</p>	
<p><b>4.9 Health Walks - presentations and strategic group</b> Martin reported that he has given presentations on outdoor access to two new Braveheart Groups that have formed in Clackmannanshire. He also advised that he continued to attend the Strategic Group of the Wee County Walkers.</p>	
<p><b>4.10 Inclusive Networks</b> Martin reported that the project, which covers Clackmannanshire, Stirling, Fife and Falkirk, and is coordinated by Fieldfare; was continuing to use disabled volunteers to survey core paths to assess their suitability for use by people with disabilities. Phototrails is the means by which their findings are made available to the public and includes a number of routes in Clackmannanshire.</p>	
<p><b>4.11 LDR's</b> Martin reported that SNH had been reviewing Longer Distance Routes and that a network of Great Trails had been created. Criteria have been created and include:</p> <ul style="list-style-type: none"> <li>• continuous, waymarked etc</li> <li>• largely off-road</li> <li>• at least 40k long</li> <li>• visitor services</li> <li>• natural, cultural, historical interest</li> <li>• maintained and managed</li> </ul> <p>Martin commented that he'd had discussions with SNH and others about the possibility of a LDR passing through Clackmannanshire, perhaps following the proposed Hillfoots Way.</p>	
<p><b>4.12 PFA workday</b> Martin reported that Paths For All staff will be doing a work day at Gartmorn Dam Country Park and that they will be undertaking a range of path improvement works including, bank erosion works, surfacing, step repairs, drainage improvements and cutting back of undergrowth.</p>	
<p><b><u>5.0 Update - Core Path 40 diversion</u></b></p>	
<p><b>5.1</b> Martin reminded Forum members that the tenant farmer wanted to divert the route along the riiverbank and that it had been agreed at the last meeting that Martin, Linda, Clackmannanshire Riders Access Group and Criminal Justice visit the riverbank path to assess whether it could be made an acceptable alternative for equestrian users.</p>	
<p><b>5.2</b> A site visit subsequently took place. This identified that the route did have potential for use by equestrians if improvement works were undertaken by Criminal Justice, but highlighted 2 areas of concern:</p> <ul style="list-style-type: none"> <li>• safe access onto/off the path from the B908</li> <li>• one narrow section of path with steep slopes on both sides</li> </ul>	

<p><b>5.3</b> The equestrian users agreed that the narrow section of path might be improved by the removal of a tree, and suggested that the alternative route could be accessed more safely by using the field margin adjacent to the road, rather than the road or its footway.</p>	
<p><b>5.4</b> The tenant farmer was subsequently approached by James over equestrians using the field margin, but was not willing to formally agree to this; although it was acknowledged that the Land Reform (Scotland) Act 2003 did permit such use.</p>	
<p><b>5.5</b> Liz and Jane P reiterated their concerns over equestrians using a fast and narrow road to access the alternative path. James stated that the tenant farmer would permit trees to be cut back to improve sight lines for equestrians/motor vehicles using the B908.</p>	
<p><b>5.6</b> James commented that the tenant farmer had made a number of concessions to try and resolve the concerns of equestrian users and advised that these should be implemented and that Martin should progress the diversion.</p>	<b>MD</b>
<p><b>6.0 Update - Tillicoultry Glen</b></p>	
<p><b>6.1</b> Euan reported that laminated signs warning of the danger from rockfall and of an unsafe bridge was posted in the glen and that more robust metal signage had been ordered.</p>	
<p><b>6.2</b> Euan also advised that barriers were to be installed to make it very difficult for people to access the path in the glen.</p>	
<p><b>6.3</b> Euan reported that Mouchel had been approached for costs for undertaking design and safety works for:</p> <ul style="list-style-type: none"> <li>• quarry outcrop</li> <li>• unsafe bridge</li> <li>• collapsed riverbank</li> <li>• rock scaling</li> </ul>	
<p><b>6.4</b> Euan advised that the costs from Mouchel would then be used to inform a bid to the Council for capital monies to undertake the works.</p>	
<p><b>7.0 Update - Ochils Landscape Partnership</b></p>	
<p><b>7.1</b> Martin read out an e mail from the Ochils Landscape Partnership (OLP) Coordinator which provided an update.</p>	
<p><b>7.2</b> The OLP has now started its implementation phase, having been awarded funding by the Heritage Lottery Fund towards the end of 2010. The project is two thirds funded with one third still being sought. OLP Coordinator, Sheena Stone, was recruited into post in June, followed by the Research &amp; Interpretation Officer Kirsty McAlister in August, with two more staff to follow soon.</p>	
<p><b>7.3</b> The implementation stage runs over three years with some funding in place for years four to ten, the maintenance phase.</p>	

<p>The OLP is made up of a total of twenty two different projects, including a number which have an access element such as the Hillfoots Way and the Devon Trail.</p>	
<p><b>7.4</b> Brian commented that the Devon Trail went very close to the river in a number of places and that in some of these, such as near Arndean, riverbank erosion was an immediate issue and necessitated urgent fencing works. He went on to suggest that the Forum write to highlight this need.</p>	<b>MD</b>
<p><b>8.0 Locked gates in woodland to south of Gartmorn Dam</b></p>	
<p><b>8.1</b> Martin reported that he had received a number of complaints about locked gates at either end of a path in the woodland to the south of Gartmorn Dam.</p>	
<p><b>8.2</b> Martin gave a presentation illustrating the location of the path and showing the locked gates, and the area round about them; and also their relationship to core paths in the area. He reminded the Forum that the route had been included in the Final Draft Core Paths Plan and that it had been removed from the Plan following a formal objection by the landowner.</p>	
<p><b>8.3</b> Martin explained that the landowner had written to him saying that path users impacted on the curtilage and privacy of the farm buildings, and that they had suffered vandalism, thefts and unauthorised motor vehicle activity.</p>	
<p><b>8.4</b> Martin made reference to the Land Reform (Scotland) Act 2003 and drew the Forum's attention to Section 6 'Land over which access rights not exercisable' and also to the Scottish Outdoor Access Code 4.9 which deals with obstructions and cites locking gates without reasonable cause as a possible impediment to access.</p>	
<p><b>8.5</b> Martin explained that he had met the landowner on site and that he had agreed measures to try and encourage assess takers to follow the core paths in the area by better signage and also to make it more difficult for unauthorised motor vehicles to access the area; but that the locked gates had appeared before these measures had been implemented.</p>	
<p><b>8.6</b> Martin went on to say that he was seeking legal advice on the matter and that this may determine the way the Council will address the matter.</p>	
<p><b>8.7</b> Martin also advised that if the legal advice is inconclusive, the advice of the Forum would provide a way forward.</p>	
<p><b>8.8</b> The Forum discussed the matter at length, commented that the landowner was generally very supportive of access and had created a number of paths in the area, and agreed that users of the path would impact on the farm buildings and that in their view it wasn't unreasonable for the landowner to lock the gates.</p>	

<b>9.0 Feedback - Forum members</b>	
9.1 This item was not discussed because of time constraints.	
<b>10.0 Any other business</b>	
<b>10.1 Core path 168 Hillfoot Hill</b> Brian commented that felling had taken place either side of the core path where it passes Hillfoot Hill. He suggested that Tilhill be approached to request that any replanting is kept back from the path. Tim suggested Martin approach him on the matter, as he will be commenting on any new planting proposals.	<b>MD</b>
<b>10.2 NCN 76/core paths 20 and 28</b> Gordon commented that some cyclists using the route don't slow down when they encounter other users. Martin advised that a range of users were entitled to use the route and that they should, in keeping with the Scottish Outdoor Access Code, respect each others right to be there and also act responsibly.=	
<b>10.3 Gartmorn Farm</b> Tim reported that Gartmorn Hill Farm had submitted an application to the Forestry Commission for woodland creation and that this made some provision for access.=	
<b>10.4 Glendevon</b> Tim reported that the Woodland Trust are writing a Management Plan for the area and that this will have some implications for outdoor access. Alistair advised that new routes had been created which link to the Reservoirs Trail.	
<b>10.5 Disabled access</b> Enid reported that she had been in talks with the Disability Awareness Group and also SNH over promoting disabled access opportunities in the area.=	
<b>11.0 Time and date of next meeting</b>	
<b>11.1</b> The next meeting of the Clackmannanshire Access Forum will be at 2:00pm on Tuesday, 29th November 2011 at Kilncraigs.	<b>All</b>
<b>12.0 Site visit (at 15:30) to Devon Way Demonstration Project with Peter Leslie of Cycling Scotland</b>	
<b>12.1</b> The site visit did not take place because the Forum was running late.	
<b>12.2</b> Peter gave some background to the Project and explained that it comprised 5 different surface types.	
<b>12.3</b> Peter circulated a questionnaire to Forum members and asked that they complete these and return them to Martin by the end of September.	<b>All</b>