

# ANGUS LOCAL ACCESS FORUM

Note of the Meeting of the Angus Local Access Forum held in the Boardroom at Angus House, Orchardbank Business Park, Forfar on Monday 13 June 2016

**Present:** Gavin Dobson (Chair), Cathy Stephenson, John Hamilton, Kirsty Macari, Lesley Anderson, Gill Lawrie, Patricia Harrow, Barbara Thompson

**In attendance** Paul Clark , Countryside Access Officer, Angus Council  
James Gray-Cheape, prospective new member

**Apologies:** Alban Houghton, Peter Fiabane, Ivan Laird

## 1. Welcome and introductions

GD thanked everyone for attending, and introduced James Gray-Cheape, a prospective new member, who was observing the meeting.

## 2. Minute of Previous Meeting

The minutes of 14 March 2016 were approved as a true record.

## 3. Matters Arising

Fairy Steps – BT had visited the path and advised that the northern part was now non-existent due to polytunnels and a strawberry crop, and uninterrupted windbreak fencing. There is no detour available. She believed that a community group was still interested in re-instating the steps. PC advised that he would remind the landowner of his responsibility not to obstruct the route.

Senior Open, exemption from access rights – PC advised that the Order had now been confirmed by Ministers.

## 4. Proposed diversion of core path 039

The paper prepared by the access officer and a representation from a third party had been circulated prior to the meeting. PC had circulated a further representation, from the owners of the property, at the start of the meeting. PC introduced the issue. The section of core path in question was mainly used by local people in relatively small numbers. The landowner had put it forward as a candidate core path during early consultations. It had not been identified from any other sources such as public consultations, list of claimed rights of way, publications etc. He advised that issues of a claimed public right of way, obstructions, and inappropriate behaviour referred to in the representation had only recently come to light and had not yet been investigated by the Council. It was too early to properly consider these issues, and he asked the Forum to concentrate on the relative merits of the two routes and the appropriateness of the proposed diversion. He advised that there was no requirement for the Council to consult on a proposed diversion or removal of a core path, but it was nevertheless appropriate to seek the views of the Forum before proceeding.

JH asked whether the route was recorded as a public right of way. PC advised that it was not, but this did not preclude it from being so if the appropriate criteria were met.

The ownership of the diversion route was raised. PC advised that it was owned by relatives of the house owners, and that they had no objection.

PH advised that she had looked at both routes and met the owners. She believed that the diversion route was as good as the current route, and that there were advantages for path users in diverting the path away from the house where there might be uncertainty over privacy. PC advised that the grassed former quarry to the south of the path was not part of the garden associated with the house, as it was outwith the planning application boundary. He also advised that a hedge and small triangular island were a requirement of planning permission, to define a boundary between the core path and private areas, but these had not yet been installed.

The gradient of the path was raised. PH did not think it was much steeper than the existing route. PC stated that it was steeper but in his view it was not excessively steep. GL did not think the gradient would be a problem for horse riders.

Some concern was raised over the risk of the core path being formally diverted and the landowner not fulfilling their commitment to do the necessary improvements. PC believed that they would honour their commitment and advised that they would be expected to do so before the diversion was ratified by committee.

BT asked whether there should be a requirement to maintain existing tree cover alongside the sloped section to maintain the woodland character. PH thought removal of trees would leave it more in keeping with that part of the existing route, which was through more open deciduous woodland. PC concurred with this and noted that the nature of woodland path will inevitably change with time as the cycle of woodland management progresses.

It was noted that the third party's representation had asked the reasons for the diversion. PC considered that a request from the landowner could be sufficient reason, provided that the alternative did not disadvantage path users. There were some advantages to the proposed route in terms of avoiding an area where there may be uncertainty over privacy. There were also improved views from the high point of the path.

There was consensus that the forum was happy to support the proposed diversion.

## **5. Access Issues Update**

Strathmore Estates – PC had received further allegations of obstruction. He intended to visit the location. He had briefly spoken to the new estate factor. CS referred to 'no public access' forestry signage at Charleston which had been in place for some time and was no longer appropriate. PC would check this.

Tannadice – PC had received an enquiry regarding alleged ploughing during the spring. The owner advised that he was unaware of this and would inspect the path. PC had heard nothing further from either party.

Shakkin Brig, Edzell – PC had put temporary signs up. The bridge had now been repaired and was open. LA thought the signs had worked effectively.

Stracathro Core Path – LA had spoken to the farm manager, who was not aware that the path was a core path. They may remove the fence, but did not intend to remove the path. LA noted that the path had been well maintained by the estate this year.

East Mains, Edzell – There were concerns that the temporary path had been closed for some time. PC would raise this with the planning enforcement officer.

Buskhead bridge, Glen esk – PC had received a call from John Mackay of Scotways regarding the bridge. Scotways were still interested in seeing it replaced and may have a role in any partnership project, but the lead would most likely have to come from the community. LA advised that there had been no progress on this with the community council.

Kinnaber, Montrose – PC made the forum aware of an issue that had arisen on a track that was heavily used by dog walkers. A householder had locked pedestrian gates and installed 'Private Property' signs following problems with dogs under proper control. A detour route had been agreed with the adjacent landowner to try and resolve the situation, but most of the work could not be done until after the bird breeding season. The gates were currently unlocked.

Meigle – PC had received an enquiry regarding a 'Private' sign near Meigle.

Gagie House – PC had received an enquiry about a right of way at Gagie. A detour route was available for pedestrians, but it was not ideal for horseriders and the gate was difficult for riders to use. PC would be investigating the matter.

## **6. Membership and recruitment**

PF's membership still had to be put to the Council's Communities Committee. JH was still attempting to pursue a potential equestrian representative. JG-C would consider applying to become a member. The Council would put out a communication on social media to encourage membership.

## **7. Forum operating principles and procedures**

PC had circulated documents which had been produced in the early years of the Forum, outlining operating principles and procedures. He suggested that it would be appropriate to review these. There was general agreement that this was a good idea. GD asked members to send comments to PC by 11 July, for consideration at the next meeting.

## **8. Retention of Forum documents**

PC advised that Angus Council was in the process of reducing the amount of documentation on file, both in paper form and digitally, as part of the move to more agile working. This included ALAF files, but it was appropriate that the Forum decided the timescales for retention. He had circulated a paper for discussion. GD asked members to send their comments to PC by 11 July, for consideration at the next meeting.

## **9. A.O.C.B.**

Mill Pond, Friockheim – BT advised that part of the path surface had slumped. PC noted this and agreed to have a look.

Panmure Testimonial – BT referred to a tree trunk preventing vehicular access, and to having been told that the land was private. GD recalled that the Forum had visited the

location at the core paths plan preparation stage. PC advised that there was not core path through the land, but this did not diminish general access rights. PC would investigate.

**7. Date of next meeting:** Monday 12 September 2016. Venue to be confirmed.