

ANGUS LOCAL ACCESS FORUM

Note of the Meeting of the Angus Local Access Forum held at Angus House, Orchardbank Business Park, Forfar on Monday 13 March 2017

Present:, James Gray-Cheape, Cathy Stephenson, John Hamilton, Kirsty Macari, Gill Lawrie, Barbara Thompson, Peter Fiabane, Antony Gifford, Lesley Anderson

In attendance: Paul Clark - Countryside Access Officer, Angus Council
Fiona Waddell – prospective new member

Apologies: Gavin Dobson (Chair), Alban Houghton, Patricia Harrow,

1. Welcome and introductions

GL agreed to chair the meeting in GD's absence. She welcomed FW to the meeting.

2. Minute of Previous Meeting

The minutes of 12 December 2016 were approved as a true record.

3. Matters Arising

There were no matters arising

4. Access Issues Update

Lintrathen: PC advised that having received legal advice the Council did not propose to take any further action regarding the alleged public right of way. There were various factors which brought into question whether the necessary criteria had been met, and alternative access was available via the diverted core path. It was also questionable whether any evidence of use since 2005 would be relevant to establishment of a public right of way, as the route was available as a matter of right under the land reform legislation.

Gaigie, Kellas

The signage had not been amended when PC last visited the site. He had also received an enquiry from a member of the public who had been unsure whether access was available. He would be checking this again and taking the matter up with the owner if necessary.

Murroes

PC had received a report of obstructive behaviour toward a horse rider on a vehicular track. PC had advised the owner that access rights applied and that they should not be obstructed.

Burnside, Forfar

PC had received a report of various 'No Access' signs. On investigation these were old signs which had been painted over by the landowner after access rights came into effect. The paint had now faded. PC would ask the owner to rectify the matter.

Glen Lethnot

PC had received a report of a sign with wording 'No Mountain Bikes' and 'Please keep all dogs on leads', neither of which are compliant with the Code. This was understood to be an old sign which pre-dated the access legislation. PC would raise this with the owner.

Balmashanner

Legal advice on the claimed public right of way had now been obtained. This concurred with the previous view that the criteria for a public right of way had not been met, primarily because people had deviated from the direct route when crops were growing. As with the Lintrathen case there was also doubt over the relevance of any evidence of use since the access rights came into effect. The Council did not propose to take any further action.

A further issue has recently arisen regarding a pile of branches which had been deposited in the corner of the field. These obstructed a location where it was possible to get around the end of the fence by stepping on a partly dilapidated stone dyke. It was possible that the branches may have been put there to make the gap stock proof. People had been stepping over the adjacent fence. It wasn't clear whether the material had been put there for the purpose of obstructing access.

5. Membership and recruitment

It was agreed that the Council should appoint FW to the Forum as a User representative. She is based near Kirriemuir and has a particular interest in horse riding.

6. Forum operating principles and procedures, and document retention – review

After discussion it was agreed that the period of tenure for the Chair should normally be 1 year, with the option of extending to a maximum of 2 years. The updated documents were otherwise approved.

7. Forfar Farmers Market, Saturday 13 May 2017

PC confirmed that a stall had been booked. After discussion it was agreed that there should be a range of path promotional leaflets, access code material and good practice advice available at the stall, as well as a map of the Angus core paths. All members would source relevant information from their own organisations/interest groups. PC, KS, GL and FW would co-ordinate this prior to the event. PC would attend on the day to support the LAF members.

8. LAF/NAF joint event, Battleby, 17 March

It was agreed that GL and PC would attend this event.

9. A.O.C.B.

It was agreed that nominations for the Chair should be sought at the June meeting, with the new Chair taking over prior to the September meeting

7. Date of next meeting: Monday 12 June 2017. Angus House, Orchardbank, Forfar.