

ANGUS LOCAL ACCESS FORUM

Note of the Meeting of the Angus Local Access Forum held at Angus House, Orchardbank Business Park, Forfar on Monday 10th June 2019

Present: Antony Gifford (Chair), John Hamilton, Nick Hamilton, Irene McGugan, Meg Mearns, John Rymer, Cathy Stephenson, Fiona Waddell, Euan Walker-Munro.

In attendance: Paul Clark (Countryside Access Officer, Angus Council), Mairi Simms (prospective member).

Apologies: Barbara Thompson, James Gray-Cheape

1. Welcome

AG welcomed the new members to the Forum, and also Mairi Simms, a prospective new member. PC agreed to circulate a list of Forum members and their interest groups.

2. Minute of Previous Meeting

The minutes of 11 March were approved as a true record.

3. Matters Arising

Pitnappie Cutting – A letter had been received from the Sidlaw Path Network group outlining the impasse they had come to with progressing the project further. PC circulated a map for the benefit of those who were new to the Forum and outlined the background and current situation. EWM wondered whether there was anything, such as offering to replace fencing, which might encourage the southernmost owner to agree to the path being developed. This was something that the path group had already offered. PC outlined on-going discussion over his request to provide stiles to allow access over the ground. AG clarified that the Forum was keeping a watching brief on the issue and that no action was currently required.

Buskhead Bridge – PC had met Community Council representative to discuss various matters relevant to the project. There was no further update.

Edzell Riverside Path – PC advised that there had been no further progress. A meeting involving a Council structural engineer and a Community Council representative had still to be arranged. He clarified that the Council was not responsible for maintaining the path. Core path status gave the Council powers to maintain the path, but no duty to do so. There was agreement that the Forum was keen to see progress with the issue, and that the Council should be more pro-active in trying to resolve issues on core paths, such as this one. AG observed that the absence of the Council representative at recent Forum meetings was a cause for concern in terms of overall support for the Forum and access issues.

4. 2019 public event

The stall at Forfar Farmers Market was considered to be a success. There was plenty of printed material available, and there were some good conversations with members of the public. The stall would ideally have been better located, with a canopy to attach the banner to. It was felt that it would be worth doing again, but perhaps not every year. There was discussion of other potential venues including other farmers markets and Angus Walking Festival. A leaflet about the Forum might be helpful for future events. Angus Council would

be able to cover printing costs of a leaflet if the required. The possibility of using college students to help design a leaflet was suggested.

5. LAF/NAF meeting – feedback.

AG and NH has attended the meeting at Battleby Centre. The meeting was well attended with representation from all parts of Scotland, and both had found it worthwhile. NH had circulated his notes. AG observed that the Angus forum appeared to be ‘middle of the road’ in that it was well organised, quorate and functioning, but not as active as some.

Some Forums were currently inactive. EWM asked whether the Forum had agreed terms of reference. PC would circulate the agreed operating principles.

There was discussion over reviews of core paths plans and development of pilgrim routes in some areas. Angus Council does not currently have plans to review the core paths plan. PC noted that there was a distinction between reviewing the statutory core paths plan, and construction/development of new path, which do not necessarily have to go hand in hand. There was discussion over accessibility of Pilgrim Routes, some of which were long standing historic routes where there may be challenges in doing so. MS believed that simple measures could improve accessibility and that funding shouldn't necessarily be a constraint.

6. Membership and recruitment

PC advised that the appointment of IM, MM, JR and EWM had been approved by the Council's Communities Committee.

MS had applied to become a member of the Forum. She has a background as a disabled rambler, being a wheelchair user. She has more recently been involved in voluntary work with people with behavioural issue, and their families, and has found that introducing them to the outdoors had positive benefits. She would bring experiences and knowledge to the Forum that other members did not have. The Forum recommended that the Council should appoint her as a member.

7. Access Dispute, Valgreen, Murroes

The Forum had previously recommended that the Council should continue to seek removal of the sign, and progress formal enforcement action without delay. The sign had now been removed. It was initially replaced with a striped umbrella, and more recently with a coloured flag tied to a fishing rod. It was thought that these had potential to spook horses and discourage use by riders. PC had raised this with the owner, who had stated that they were for the purpose of directing delivery drivers to the address, and that riders were regularly using the track without difficulty. NH understood that riders were currently using the track, and passing the flag without difficulty. After discussion, the view of the Forum was that the flag may nevertheless deter some riders from taking access, particularly if the wind was from the north, and that the owner could direct drivers to the address using other means such as signage or the ‘what3words’ website. It was recommended that the Council should make the owner aware of its views and re-iterate the request to remove the flag.

The fact that riders appeared to be using the track without being challenged was considered to be a positive improvement. There was discussion over more formal enforcement action by the Council, if required. PC believed that a Section 14 enforcement notice was only likely to be appropriate to deal with items that were unquestionably an obstruction to access. It was not currently considered necessary or appropriate to serve a notice given the improvement in the situation, but he was obtaining legal advice with a view towards being able to proceed relatively quickly if matters were to change.

8. Access Issues update

The gap between site fencing and the locked gate at the Piperdam biomass site had now been widened to enable access by cyclists and horses. It was hoped that this would remain the case when permanent fencing was installed on the northern boundary.

Planning approval for final details of this fence had not yet been sought. PC would seek to ensure that the approved details made adequate allowance for public access.

PC reminded the Forum of concerns that had been raised regarding restrictions to horse riding, due to locked gates and other barriers that had emerged since the fragmentation of the former Kinpurnie Estate. He circulated a map to give members an idea of the area involved and the location an number of the various gates. He was currently corresponding with one landowner over various locations where gates had been locked or removed. He had recently met a group of local horse riders who were establishing a riders' access group with the intention of engaging with local landowners and agreeing suitable routes over their land. He had written to all landowners in the area reminding them of their obligations to manage access responsibly, and encouraging them to engage positively with the group. There was discussion over the change in land management requirements since the estate was split up, and the fact that gates through march fences were no longer necessary or desirable for land management. This had to be balanced with the need to accommodate public access. PC did not believe that every gate or fence crossing should necessarily be retained, but that there should be reasonable allowance for public access through the area. EWM asked whether it was possible that some of the owners were from other parts of the UK, and perhaps unfamiliar with Scottish access legislation. It was thought that most were local or from elsewhere in Scotland.

NH confirmed that the sign at Wester Pearsie had now been removed.

PC advised that the gate at Camustane Wood was now unlocked.

The Council had received enquiries regarding gates that had been installed at the entrance to a core path near Inverkeillor. The landowner had experienced problems with unauthorised vehicular access and had installed the unlocked double gates to discourage vehicles. The concern was that the gates were a barrier to horseriders, as they were difficult to open even when dismounted. It was also difficult or impossible for some riders to re-mount after negotiating the gates. There was a gap alongside the gate, but this was less than the recommended minimum of 1.2 metres for equestrian access. The landowner believed that the gap was adequate, and was reluctant to widen it. PC had sought clarification on the issue from local riders and intended to encourage the owner to provide a larger gap. The path was also used by a local carriage driver, but it wasn't thought unreasonable that they should have to stop to open the gate. PC circulated a location map and photographs. JR thought that it looked possible to negotiate the gap on horse-back, or to climb the gate to aid re-mounting. FW disagreed, and thought some riders would not be able to do so safely. She noted that the barbed wire had been covered over, which helped.

PC had received an enquiry about a locked gate at the south lodge of Fotheringham Estate, which made access difficult. It was thought that fly tipping may be a problem in the area. PC had requested that the estate provide a gap alongside the gate to enable access. JR confirmed that fly-tipping was a problem in the area. NH believed that the track was quite well used, and that the gate and adjacent fencing were a barrier.

6. A.O.C.B.

Monifieth Hillwalking and Rambling Club had asked whether the Forum could provide a speaker for one of their meetings. NH offered to do so. PC would pass his contact details to the club

7. Date of next meeting : Monday 9th September, Angus House, Forfar.