

ANGUS LOCAL ACCESS FORUM

Note of the Meeting of the Angus Local Access Forum held online on 13 December 2022

Present: Nick Hamilton (Chair), Irene McGugan, John Hamilton, Ewan Walker-Munro, Andy Matthews, Kelly-Ann Dempsey.

Apologies: John Rymer, Fiona Waddell.

In attendance: Paul Clark, Countryside Access Officer, Angus Council

1. Minute of Previous Meeting

The minute of 13 September 2021 was approved as a true record.

2. Matters Arising

Ferry Road, Monifieth. PC advised that a date for the meeting of the Council's Land Reform Sub-Committee had not yet been confirmed, but he hoped this would be in the very near future.

Cookston Road, Brechin. PC had followed the matter up with the landowner following the Forum's advice. The gate had subsequently been unlocked and the sign removed. However, the fence with barbed wire remained in place at the western end. It was possible to get into the wood at an unfenced location, but this was not obvious. PC shared photographs of the location. He intended to raise the matter further with the owner and seek removal of the fence or provision of a gap or gate. EWM questioned the purpose of the barbed wire, which PC confirmed was not on adjacent sections of fence. The unlocked field gate at the eastern end was heavy and awkward to open. The landowner had also stated that there had been a new incident of rubbish being dumped after it was unlocked. IM and NH re-iterated previous advice that a simple gate for non-motorised users would be preferable, although there was a cost associated with this. EWM commented that improved funding for access through agricultural payments could help with situations like this.

Buskhead. NH had heard nothing further from the community council. JH said there was mixed opinion within Scotways as to whether they should be involved in a possible replacement. They were seeking to speak to the community Council. AM observed that the project would require collective will from all parties if there was to be any progress, and questioned whether that was currently the case.

Milldewan Hill. PC had received a further enquiry, and understood that the issue was primarily for people who were travelling to the south-west along the eastern side of the fence. He shared a map of the situation as he understood it. He currently understood that there was an unlocked gate which allowed passage along the western side of the fence. NH recalled that this gate was previously locked but forced open. PC had raised the matter again with the owner of the land to the east and was awaiting details of their proposed solution. EWM said that there was an emerging issue nationally with forestry and deer due to new targets for woodland creation, and that this might require future discussion.

Development at Timmergreens, Arbroath. JH had raised this at the previous meeting due to local concerns over a claimed right of way. PC advised that a planning application had

now been submitted for the site, and that he had provided comment to planning officers. The proposal largely retained the route of the claimed public right of way within the site, but it was unclear whether it would connect further to the west. He had recommended that it should.

3. Access issues update

Kelly Moor, Arbirlot. PC shared a map and photograph of the location. The landowner had advised that the gate had been installed due to issues with vehicular access and associated unlawful or irresponsible behaviour, but that the gate was currently unlocked. PC had asked them to provide a gap alongside should it become necessary to lock the gate. EWM observed that, from the photograph, this appeared to be relatively straightforward.

Locked gates, Glen Esk. PC had met the owner of one of the gates, which was on a core path. The gate had been locked due to increased problems with unauthorised vehicular access and problems associated with irresponsible car-based camping. The owner had now unlocked the gate as this was not expected to be a problem during the winter. The Council had offered to provide a self-closing gate. The other gate was also currently unlocked.

Mill of Murroes. PC shared a map and photographs of the location, where a locked gate was blocking access to a track. His initial view was that the path probably passed through the curtilage of farm buildings, where access rights would not apply. This would not rule out the possibility of a public right of way existing although the landowner had stated that a previous gate had historically been locked, which may affect the prescriptive period necessary for establishment of a public right of way. NH advised that local horse riders were aggrieved at the loss of access to the route, but did not have an opinion on whether access rights applied.

Brown's Lane, Kirriemuir. The Council had received an enquiry regarding a path having been fenced off and subsumed into a garden. The path appeared not to have had any regular use in recent years, but access rights may apply. He had raised the matter with the owner of the adjacent land.

Seaton Den. The Council had received an enquiry regarding a blocked path. The landowner had advised that it had been temporarily blocked due to problems with people using it as an access to steal fruit. An alternative path was available along the coast. Fruit growing at that location had now stopped, and the obstruction had been removed.

4. LAF/NAF joint meeting

NH and IM had attended the online meeting. NH gave a summary of the morning session, and IM summarised the afternoon session.

NatureScot explained the organisation's future visitor management strategy, communication being the main theme:

- Support tourism recovery
- Promote the SOAC
- Enhance visitor facilities and services
- Co-ordinate funding streams.

NatureScot's 2021 experiences included:

- More visitors

- Improved interaction with staff
- Reduction in the number of high-pressure points

But:

- Parking still a problem
- Campervan facilities need significant improvement
- More staff are needed on the ground
- Signage needs improving

Police Scotland outlined the main 2021 difficulties in the countryside from the police point of view:

- Vehicle pressure points
- Litter
- Toileting
- Alcohol and drug abuse
- Noise
- Unattended camp fires.

Contributions from others highlighted additional areas that need focusing on:

- e-bikes. A major report is expected in 2022
- Wild camping. Separate the issue from car-boot camping
- Paddle boarding. Water training urgently needed
- Drones. Difficult to persuade owners to accept that training is necessary
- Revision and promotion of SOAC. Much wider coverage of new issues needed
- Communication central to all issues. Change the emphasis from 'Visitor Management' to 'Managing for Visitors'
- Stronger messages to children about good behaviour in the country because they tend to have a strong influence on parent behaviour.

The entire afternoon session was devoted to the idea of using mediation for resolving public access disputes. The NAF has been looking at this issue for some time, and has produced a Guidance Note on the use of mediation for access, which it recommended that all LAF members familiarise themselves with.

A very detailed presentation was given by Scottish Mediation. While this was generic guidance, it was suggested that many aspects are easily transferrable to access disputes. Bespoke, specific training can be delivered to LAF members - at a reduced rate of £35 p/p. Mediation is clearly regarded as a useful tool for LAFs, and should be considered whenever appropriate."

In relation to the SOAC issues outline in the NH's summary, EWM mentioned a private members bill that was currently before parliament seeking support to review the SOAC.

5. membership and recruitment

PC had received several enquiries to the LAF mailbox from prospective LAF members, but none of these had resulted in an application for membership. There was discussion of the membership selection criteria document, which may make membership sound more onerous than it is in practice. There was agreement that this should be reviewed and that members should submit any comment to PC, who would collate them for the next meeting. KAD mentioned the Angus Tourism Co-operative, who would be worth including in future recruitment drives.

6. A.O.C.B.

There was some further discussion of regional land use partnerships.

7. 2022 meeting dates

The provisional timetable of meeting was agreed. Next meeting Monday 14 March 2022.