



**Clackmannanshire  
Council**

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CLACKMANNANSHIRE



ACCESS FORUM

## The Clackmannanshire Access Forum

### Minute of meeting held on Tuesday, 23rd May 2017 at Kilncraigs, Alloa

	<u>Action</u>
<b><u>Present</u></b>	
<b>Landowners/Land Managers:</b> Brian Poett, Ian McFarlane,	
<b>User group representatives:</b> Eric Davidson, Linda Howson, John Hutcheson	
<b>Community group representatives:</b> Caroline Crawford, Alison Fox,	
<b>Council:</b> Martin Dean	
<b><u>1.0 Apologies</u></b>	
<b>1.1</b> Apologies were received from: - Dick Clark (Chair), David Scott	
<b>Appointment of substitute Chair</b> – Dick was unable to attend the meeting and John H was appointed as substitute Chair.	
<b><u>2.0 Approval of draft minute of meeting held on 29<sup>th</sup> November 2016</u></b>	
<b>2.1</b> Eric proposed that the minutes were approved. This was seconded by Caroline.	
<b><u>3.0 Matters arising from meeting held on 29<sup>th</sup> November 2016</u></b>	
<b>3.1 Gartmorn Dam Country Park</b> Martin reported that Dick attended the meeting of the Gartmorn Dam Country Park Development Trust on 5 <sup>th</sup> December 2016. Brian then asked if anybody knew if Scottish Water intended to run water into the Dam from the River Black Devon via the Lade. Martin commented that Scottish Natural Heritage had recently recorded a deterioration in the condition of the Site of Special Scientific Interest at the Dam and agreed to forward the name of the	

relevant SNH Officer to Brian.	<b>MD</b>
<p><b>3.2 Dog walkers sign</b></p> <p>Martin reported that he had sent a finalised copy of the Dog walkers sign to Caroline so she could post it in the Community Newsletter.</p> <p>He also distributed the sign to Forum members.</p> <p>Brian asked for clarification on what close control meant and Martin agreed to look into this and report back.</p>	<b>MD</b>
<p><b>3.3 Access to field margins managed for wildlife</b></p> <p>Martin reported that SNH had provided clarification on this matter.</p> <p>This included the British Horse Society Scotland guidance note which states that horse riders do have access to field margins and that where the land is being managed in the interests of conservation, this does not over-ride the right of responsible access.</p> <p>Mention was made of Scottish Government Rural Payment and Inspections Directorate grant payments and comment (at a National Access Forum meeting) that damage caused by third party (access) activity would be taken into account. SNH also commented that the access rights are for non-motorised access only, so is generally low-impact.</p>	
<p><b>3.4 Enabling Projects in Clackmannanshire</b></p> <p>Brian reported that EPIC had appointed a Project Officer and that they were employed by The Conservation Volunteers.</p>	
<p><b>3.5 Greener Greenways</b></p> <p>John H commented that new hawthorn hedges adjacent to cycle paths were problematic for cyclists - especially when they are cut and their thorns fall onto the path surface and cause punctures.</p> <p>Martin commented that hawthorn hedges are good for biodiversity and for containing livestock.</p> <p>There was discussion about sweeping the paths after cutting and it was agreed that Martin would raise this with the Council's Roads Department.</p>	<b>MD</b>
<p><b>3.6 Path maintenance in Jerah Woodlands</b></p> <p>Martin reported that John H had sent him details of which paths are difficult to follow because of encroaching vegetation.</p> <p>He reported that he had then approached Forestry Commission Scotland (who had approved the tree planting) to ask if any conditions had been imposed on the woodland manager to maintain the paths, but had not received a response.</p>	
<b>4.0 AGM/Forum membership</b>	
<p><b>4.1</b> Martin reported that the AGM had taken place on 21<sup>st</sup> February 2017 at the Dumyat Centre in Menstrie.</p>	
<p><b>4.2</b> He reported that the Partnership Agreement required 1 member (1 of the longest serving members) of each stakeholder group to stand down at the AGM and that a representative having stood down, is not prevented from standing for re-election.</p>	
<p><b>4.3</b> Martin reported that John W stood down from the Landowners/Land managers group, that Eric stood down from the Users group and that Dick had stood down from the Community group.</p>	

<p><b>4.4</b> He further advised that John W, Eric and Dick had all been re-elected.</p>	
<p><b>4.5</b> Martin also informed the Forum that Dick had served 2 years as Chair and that, in keeping with the Partnership Agreement, the position is passed onto a representative from another stakeholder group. He reported that none of the Landowners/Land managers were able to take on the position and that this was also the case with the Users group, which meant it returned to the Community group. He further advised that Dick had been re-elected Chair.</p>	
<p><b>5.0 Update – Access and Countryside Projects Officer</b></p>	
<p><b>5.1 Ochils Landscape Partnership/Enabling Projects In Clackmannanshire</b>  Martin reported that Enabling Projects In Clackmannanshire had been formed to replace the Ochils Landscape Partnership.  He advised that EPIC aims are to maintain the OLP projects for 10 years and to deliver new projects throughout Clackmannanshire.</p>	
<p><b>5.2 Inner Forth Landscape Initiative</b>  Martin reported that 2 new access projects are to be delivered in 2017-18 - the fourth and final year of IFLI.  The projects that are to be delivered are the Clackmannan and Alloa Park Access Improvements and the Inner Forth Inches Trail.  Funding for these projects is mostly in place, with Central Scotland Green Network Trust looking for the remainder of the budget needed.  Minor amendments to the original proposals have been necessary in places because of riverbank erosion etc.  Martin also reported that a section of route on the Cambus Whisky and Wetland Wander which was not improved as part of the IFLI project because of uncertainty over whether the core path was to be diverted, had now been improved.</p>	
<p><b>5.3 City Deal</b>  Martin reported that the City Deal covered Clackmannanshire and Stirling, and that projects were currently being drawn-up. He also advised that there is a newsletter for those involved in the development of City Deal in Clackmannanshire and agreed to circulate the most recent edition to Forum members.</p>	<p><b>MD</b></p>
<p><b>5.4 National Cycle Network/Greener Greenways</b>  Martin showed a map of the cycle paths in Clackmannanshire and commented that minor improvement and maintenance works were undertaken on the network.</p>	
<p><b>5.5 Gartmorn Dam Country Park</b>  Martin reported that a Youth Project had improved some steps and a viewpoint on the south shore path at Gartmorn Dam. The project was a partnership involving Paths For All, Youth Services and the Access and Countryside Projects Officer. He also reported that a second, follow-up project had recently started.</p>	
<p><b>5.6 Tillicoultry Glen</b>  Martin reported that heavy rain and snow melt at the end of February resulted in the path being eroded in 3 places.  Signs were placed at the top and bottom of the glen to warn users of the erosion</p>	

<p>and of the need for care. Safety railing was subsequently installed and further works are required to stabilise the embankments.</p>	
<p><b>5.7 CC54</b>  Martin reported that he had received a query from ScotWays about the status of a route between Park Farm and the Forth estuary – CC54.  He further reported that the former District Council had asserted the route as a public right of way on 11th March 1992, but that this was disputed.  The matter was then referred to Alloa Sheriff Court where it was discharged in the hope that a settlement could be negotiated between Clackmannanshire Council and the landowner. Consideration was given into entering into a public path creation agreement (using powers granted under Section 30 of the Countryside [Scotland] Act 1967), but this was never concluded. Martin commented that he would need to take legal advice on the current status of the route.  Martin advised that regardless of it's right of way status, the Land Reform (Scotland) Act 2003 does entitle access takers to use the route - providing they do so responsibly and follow the Scottish Outdoor Access Code.</p>	
<p><b>5.8 Other works</b>  Martin reported that Community Payback personnel had undertaken a variety of works on paths including:</p> <ul style="list-style-type: none"> <li>• installing signs</li> <li>• replacing vandalised rails</li> <li>• litter picking etc</li> </ul>	
<p><b>5.9 Planning applications</b>  Martin reported that he comments on planning applications where they impact on paths.  A recent application related to tree felling in a wood which contains a path which is a core path/public right of way.  Comments included:</p> <ul style="list-style-type: none"> <li>• if there is a need to close the route whilst the works are taking place, an alternative access route should be provided</li> <li>• any damage to the surface of the core path/public right of way should be reinstated within 14 days</li> <li>• that the contractors should follow the advice in the Forestry Commission Scotland document on managing woodland access and forest operations</li> </ul>	
<p><b>5.10 Events</b>  These continue to use the path network.  A variety of events have taken/are due to take place, including:</p> <ul style="list-style-type: none"> <li>• running – Gartmorn 6, Ochil Ultra, hill races</li> <li>• equestrian – SERC Tayside event</li> </ul>	
<p><b>6.0 Wild Camping – Access Forum advice required</b></p>	
<p><b>6.1</b> Martin reported that Historic Environment Scotland have been experiencing wild camping, and associated littering and fires, at Clackmannan Tower; and want to post signs prohibiting camping.</p>	
<p><b>6.2</b> Martin advised that the Tower and land surrounding it, and the access road</p>	

to the Tower, are owned by Earl of Zetland and in HES guardianship. The area around the Tower is scheduled and protected by the Ancient Monuments and Archaeological Areas Act 1979.	
<b>6.3</b> Wild camping is allowed for under the Land Reform (Scotland) Act 2003, with the Scottish Outdoor Access Code defining what is responsible. SOAC states that wild campers should help avoid causing problems by “keeping well away from ... historic structures”. It also states that access takers should not dig or disturb the ground at scheduled monuments and that activities like camping and lighting fires can cause disturbance and damage.	
<b>6.4</b> Martin showed Forum members recent photos of the site, including evidence of fires and littering.	
<b>6.5</b> Martin also reported that the Council has powers (under section 14 of the Land Reform [Scotland] Act 200) to deal with prohibition signs..	
<b>6.6</b> The Forum considered the matter and advised that wild camping within the fenced area at Clackmannan Tower is outwith access rights and that HES signs prohibiting camping would not (from an access perspective) constitute prohibition signs.	
<b><u>7.0 Sign wording and location – Access Forum advice required</u></b>	
<b>7.1</b> Martin reported that the farmer at Craigrie Farm is having problems with access takers going through crops and allowing their dogs into his crops when following nearby paths.	
<b>7.2</b> Martin reported that SOAC states that access rights do not extend to hay/silage at a late stage of growth or growing crops, but that margins may be used. He also reported that SOAC states that dogs should not be taken into fields of vegetables or fruit.	
<b>7.3</b> The Forum were asked to advise on the wording for the signs about not taking access through, or letting dogs into, crops; and on where directional signs should be located.	
<b>7.4</b> The Forum advised that the following wording should be used: “Growing crops - please keep dogs off them and avoid damaging them by following paths or using field margins.” Lack of time prevented the Forum from advising where the directional signs should be located.	
<b><u>8.0 Partnership Agreement review – Forum members</u></b>	
<b>8.1</b> Lack of time prevented this item from being discussed.	
<b><u>9.0 Feedback and any other business - Forum members</u></b>	
<b>9.1 Caroline</b> reported that a motorcyclist using the cycle path at Menstrie had their bike confiscated by Police.	
<b>9.2 Linda</b> reported that Clackmannanshire Riders Access Group had, together with Alloa Golf Club, undertaken works to improve a path which crosses a fairway. She also reported that social media had been used to promote responsible horse riding over golf course paths.	

<b>10.0 Venue for Access Forum site visit in August - Forum members</b>	
<b>10.1</b> It was agreed that Clackmannan Tower and Craigrie Farm would be a good place to visit and that Martin should approach the relevant land managers.	<b>MD</b>
<b>11.0 Time and date of next meeting</b>	
<b>11.1</b> The next meeting of the Access Forum will be a site visit and will take place from 2.00-4.00pm on Tuesday, 22 <sup>nd</sup> August 2017. Details of the meeting point will be circulated nearer the time.	