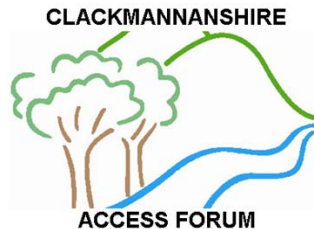




**Clackmannanshire
Council**



The Clackmannanshire Access Forum

**Minute of meeting held on Tuesday, 11th December 2018
at Kilncraigs, Alloa**

	<u>Action</u>
<u>Present</u>	
Landowners/Land Managers: Ian McFarlane, Brian Poett (acting Chair)	
User group representatives: Linda Howson, Barbara Maddox	
Community group representatives: David Scott	
Council: Martin Dean, Lawrence Hunter (for item 8)	
Brian welcomed people to the meeting of the Access Forum.	
<u>1.0 Apologies</u>	
1.1 Apologies were received from: - Dick Clark, Caroline Crawford, Eric Davidson and John Wilson.	
<u>2.0 Approval of draft minute of meeting held on 15th May 2018</u>	
2.1 David proposed that the minutes were approved. This was seconded by Linda.	
<u>3.0 Matters arising from meeting held on 15th May 2018</u>	
3.1 Bulls in fields with core path/public right of way Brian advised the Forum that bulls can be very dangerous. Martin reminded the Forum that the Scottish Outdoor Access Code states that access rights do extend to fields with bulls and that land managers are advised to keep animals known to be dangerous away from core paths and other well used routes. He added that the Health and Safety Executive information sheet on cattle and public access in Scotland states that bulls of dairy breeds should not be in fields	

<p>with public rights of way and core path, but that bulls of beef breeds are allowed in fields with paths if accompanied by cows or heifers. It was agreed that the Council would promote any bull related safety messages promoted by Scottish Natural Heritage, the National Farmers Union and others, on its social media pages.</p>	<p>MD</p>
<p>3.2 Forum vacancies Martin reported that Clackmannan Canoe Club have said that they would try and send a representative to future meetings. He also reported that he had been in touch with the Scottish Rights of Way and Access Society about them providing a representative to join the community group.</p>	
<p>4.0 Forum site visit to Alva Glen on 18th September 2018</p>	
<p>4.1 Martin reported that the Forum visited Alva Glen in September. They were given an introduction to the site and the types of outdoor access which took place there, which included dog walking, people following the Hillfoots Diamond Jubilee Way and canyoning. Martin informed the Forum of the works that the Alva Glen Heritage Trust had undertaken on the site and of the projects that the Ochils Landscape Partnership had delivered there. The visit concluded with a visit to where a new bridge is to be installed in the upper glen.</p>	
<p>5.0 Update – Access and Countryside Projects Officer</p>	
<p>5.1 Land Reform (Scotland) Act 2003 - Section 13 Duty of local authority to uphold access rights Martin reported that swimming during the summer had resulted in issues at Linnmill. These issues linked to access, litter and safety. He added that a number of partners had worked together to address these, with the Access Officer producing signage, with Community Payback personnel undertaking litter picks and with Youth Services personnel visiting the site to interact with those swimming. Martin reported that obstructions had prevented access takers using ground to the west of Tillicoultry Park and, following discussions with the landowner, these had been removed and were replaced with signage promoting responsible access by dog walkers. Martin reported that he had undertaken a patrol with Police Scotland and a Forestry Commission Scotland Ranger to combat unauthorised motorbike access in Gartmornhill Wood and the surrounding area. New signs have been produced advising the public to report any such activity.</p>	
<p>5.2 Public rights of way Martin reported that a claim had been made that Drumburn Road is a vehicular right of way. He added that the route is asserted as a pedestrian right of way and that it is also an asserted core path. He commented that the evidence does not support this claim and made reference to a note from the Scottish Rights of Way and Access Society which states:</p> <ul style="list-style-type: none"> • It is now difficult to establish new off-road rights of way for vehicles 	

<p>because it is an offence under the Roads (Scotland) Act 1984 and the Road Traffic Act 1988 to drive a vehicle off-road or on a footpath or cycle track.</p> <ul style="list-style-type: none"> • People using rights of way must not damage the surface of the route. So, even if a route is a right of way for vehicles, it cannot be used by vehicles if that use will damage the surface of the track. 	
<p>5.3 Alva Glen Martin reported that a kit bridge is to be ordered and that an engineer has been appointed to design abutments and to oversee construction, which will be undertaken by the Council's Grounds Maintenance Team in early 2019.</p>	
<p>5.4 Tillicoultry Glen Martin reported that Storm Ali brought down two trees in Tillicoultry Glen on 19th September and that this resulted in a temporary closure of the path until a bridge, which had been hit by one of the trees, had been inspected; and until the trees had been cleared from the path and damaged railings repaired.</p>	
<p>5.5 Ochils Landscape Partnership Martin reported that Enabling Projects In Clackmannanshire (EPIC) will, using The Conservation Volunteers (TCV), maintain some aspects of the OLP projects. Other maintenance works will be undertaken by Clackmannanshire Council and by other partners. He also reported that maintenance is due to take place for 10 years after the end of the project i.e. until March 2026.</p>	
<p>5.6 Path Skillz projects Martin reported that discussions are ongoing with Paths For All for another Path Skillz project to be delivered in Clackmannanshire. Two Path Skillz have already been delivered - one at Gartmorn Dam Country Park and the other on paths at Hawkhill Wood.</p>	
<p>5.7 Events 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"> • SERC Gartmorn Dam ride on 10th June • Cambus Quarter on 26th August • Cannicross at Gartmornhill Wood on 15th and 16th September • Harviestoun Triathlon on 29th September • Tilli 10k on 29th December 	
<p>5.8 Planning responses Martin reported that he has commented on several planning applications, including:</p> <ul style="list-style-type: none"> • Cowden Japanese Garden – access road • Harviestoun - Hydro Scheme • Gean House – boundary railings • Backhills – track widening 	
<p>5.9 City Deal Martin reported that £90 million has been awarded to the Stirling and Clackmannan City Deal, and that Clackmannanshire is set to benefit from a number of initiatives, including some which are relevant to outdoor access:</p> <ul style="list-style-type: none"> • International Environment Centre • Capital projects • Capital investment in cultural, heritage and tourism assets 	

<ul style="list-style-type: none"> • Active travel 	
6.0 Rhodders Farm gate – advice required from Forum members	
6.1 Martin reported that he had received 3 reports of locked gate on a track above Rhodders Farm. The track isn't a core path or public right of way, but is a route which is popular with hill walkers.	
6.2 Martin reported that he then asked the landowner why the gate had been locked and was told that it was because it had been getting deliberately jammed open which had allowed sheep that had been brought down to in-bye fields below the gate, to escape back onto the open hill. The landowner sent photographic evidence of the gate when it had been jammed open. He also said that the gate was only locked on a small number of days each year when sheep had been brought down into the in-bye fields and offered to construct a stile (which has now been installed) to facilitate access on the few days that the gate was locked.	
6.3 Martin reported that the Scottish Outdoor Access Code refers to locked gates as obstructions, but cited examples of when the Code considered it reasonable to lock a gate.	
6.4 Martin then asked the Forum for their advice on whether they considered it was acceptable for the gate to be locked for a few days each year when sheep are brought down to in-bye fields.	
6.5 The Forum advised that they considered that it was acceptable to lock the gate providing the numbers of days is small and recommended that Martin monitor this. They also advised that the stile is reinforced and that signage is posted explaining why it is locked.	MD
7.0 Feedback Forum members	
7.1 Linda commented that some additional mounting blocks are needed to facilitate equestrian access and undertook to find out where this is. She also undertook to find out how high mounting blocks should be.	LH
7.2 Ian commented that he had recently visited islands in the outer Forth Estuary and added that the organiser of that trip hoped to organise a similar trip to Alloa and Tullibody Inches in the near future.	
8.0 Any other business	
8.1 Lawrence advised the Forum that Martin will be leaving the Council's employment on 28 th February and commented that the Council would continue to deliver its statutory duties linked to access rights and public rights of way.	
8.2 Brian thanked Martin for his work on outdoor access in Clackmannanshire.	
9.0 Time and date of next meeting	
9.1 The next meeting of the Access Forum will be the AGM which will be held on Tuesday, 19 th February 2019.	All
9.2 Martin will book a suitable, accessible, venue. Brian will approach Scottish Land and Estates over them giving a presentation on how access rights impact on land managers.	MD BP

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