

**NOTE OF STIRLING AREA LOCAL ACCESS FORUM HELD IN THE WALLACE ROOM, VIEWFORTH, STIRLING, on WEDNESDAY 26 APRIL 2006 at 5.00 p.m.**

**Present:-**

Niall Bowser  
Cheryl Campbell  
John Campbell  
Paul Davison  
Councillor Tony Finch  
Michael Gray  
Simon Hart  
Linda Howson  
Duncan McEwen  
David Petch  
John Pitt  
Roderick Ross  
Graham Taylor,  
Councillor Gillie Thomson  
Robert Sparkes

**Officers:-**

Donald Balsille, Manager, Environment Services  
Richard Barron, Senior Access Officer, Environment Services (Chair)  
Ann Dromgoole, Community Officer, Corporate Services  
Robert Hunter, Countryside Development Officer, Environment Services  
Penny Stoddard, Access Officer, Environment Services  
Alison Perry, Community Access Officer, Environment Services

**Also Present**

Stuart Davies, Scottish Natural Heritage

**1 ELECTION OF CHAIR AND VICE CHAIR**

**Decision**

The Forum agreed:-

- 1 to defer a decision on the appointment of the Chair and Vice-Chair to the next meeting;
- 2 that Members interested in these posts put in written submissions, outlining the reasons why they wish to be considered, these submissions to be issued with the agenda for the next meeting;
- 3 interested candidates forward their submissions to the Clerk by Monday 21 August 2006 at the latest.

**2 FEEDBACK FROM TRAINING EVENING AND TRAINING NEEDS**

The Senior Access Officer referred to the Access Information Evening for Members held on 16 February 2006 and advised that an Evaluation Sheet had been prepared following receipt of the responses to the questionnaire.

Copies of the Evaluation Sheet were tabled at the meeting and the Senior Access Officer went through the questions.

A SALAF Training Questionnaire was also tabled.

### **Decision**

The Forum agreed to complete the Training Questionnaire as tabled.

## **3 THE LAND REFORM (SCOTLAND) ACT 2003 – STIRLING COUNCIL CORE PATHS PLAN**

**At this juncture Councillor Gillie Thomson left the Meeting Chamber.**

A draft report by the Interim Director of Environment Services, for submission to Members of Stirling Council's Environment Committee, had been issued with the agenda for this meeting.

The draft report informed Members of the progress made towards the development of a Core Paths Plan for the Council area, excluding the Loch Lomond and the Trossachs National Park and sought agreement on the recommended way forward.

The Senior Access Officer advised that the Environment Committee would consider the report on 17 May 2006. The Forum was invited to make comments on the draft. It has been agreed these comments would be included in the report to the Committee.

It was proposed that the first version of the draft Core Paths Plan would be taken out to public consultation via community meetings etc. All proposed Core Paths would be surveyed, works identified and costed for inclusion in the draft Core Paths Plan to be presented to the Environment Committee in November 2007.

Maps of the draft Core Paths Plan were displayed at the meeting.

Reference was made to Paragraph 4.8 of the report concerning Awareness Raising/Consultation on the draft Core Paths Plan. The Questionnaire tabled at the meeting for Members had already been distributed to Members of Stirling Sounding Board etc. Of 1527 questionnaires already issued 763 had been returned.

Members asked questions on:-

The reason why Officers considered that an Strategic Environment Assessment was considered unnecessary;  
How the Core Paths Plan would hopefully have a significant effect on other strategies;  
The status of the red routes identified on the illustrated maps – (none);  
Whether the Scottish Rights of Way and Access Society Routes will be incorporated into the Core Paths Plan;  
How consultation on the CPP will take place with Community Councils?  
How the consultation will be fed to other Groups;  
Targeting Forum Meetings and Stirling Assembly on the Core paths Plan;

Litter and the lack of provision of toilet facilities for walkers within the countryside – which could be a potential health hazard (there is no requirement to provide toilets);

The provision of break free routes which identify the nearest pubs and toilets;

No provision for the people who drive and walk;

Litter issue in Carron Valley.

#### **Decision**

The Forum noted the position.

#### **4 SCOTTISH EXECUTIVE – PART 1 OF THE LAND REFORM (SCOTLAND) ACT 2003: MONITORING OF PROGRESS AND EXPENDITURE TO 31 MARCH 2006**

As part of the Land Reform (Scotland) Act the Scottish Executive had produced a form on monitoring of progress, powers and expenditure on access. Copies of the completed Form for Stirling Council area were tabled for information. Members could, if they wished, submit comments. The deadline for submission of the form to the Executive was 5 May 2006.

The Senior Access Officer explained the salient points contained within the responses and advised the type of funding opportunities available to the Forum i.e. aggregated fund. It was felt that feedback from the National Park Authority on Officers made under section 11 of the Act, exempting land from access rights for less than 6 days, would be beneficial.

#### **Decision**

The Forum noted the position.

#### **5 ALLEGED CONTRAVENTION OF SECTION 14(1) OF THE LAND REFORM (SCOTLAND) ACT 2003 – LOCKED GATE AT ENTRANCE TO BOQUHAN ESTATE, KIPPEN – ACCESS COURT CASE**

A report by the Access Officer advised the Forum of the alleged contravention of Section 14(1) of the Land Reform (Scotland) Act 2003 (hereinafter referred to as “the Act”) and of the resultant Court case at Stirling Sheriff Court.

The Forum was reminded that The Act brought the public a new right of responsible access throughout most of Scotland although certain types of land are exempt. The Act also puts a statutory duty on each Access Authority to uphold these rights and to ensure that any obstructions are removed.

In March 2005, Stirling Council Access Team was informed of locked gates at the entrance to Boquhan Estate, which were denying access to land perceived to be open access land.

The Access Team had followed its adopted enforcement procedure with regards to Section 14(1) of the Act, which deals with prevention and deterrence of access, and served written notice on the landowners.

The notice was appealed and an initial Court hearing took place on 18 April. The case was due to be heard in full on 23 and 24 August 2006.

## **Decision**

The Forum noted the procedure followed and supported Stirling Council's Access Team in pursuing the case in question to its conclusion.

(Reference – Report by Access Officers (undated) submitted.)

## **6 NATIONAL ACCESS FORUM – UPDATE**

The National Access Forum, established since 1994, met 3 – 4 times per annum and discussed general issues concerning Access. Copies of the Unconfirmed Draft Summary of the Access Forum held on 1 March 2006 was tabled at the meeting. The Senior Access Officer provided background information on the Forum and sought clarification on whether Members wished to (a) receive information on the National Access Forum and (b) if so, how much and how it should be distilled.

## **Decision**

The Forum agreed that information be given via agendas.

## **7 REVIEW OF SCOTTISH OUTDOOR ACCESS CODE**

Scottish Natural Heritage Monitoring Form had been designed to assist SNH monitor the effectiveness of the Scottish Outdoor Access Code. Copies of the Form were distributed at the meeting. The Form was for monitoring not for incident reporting.

The Senior Access Officer explained the Sections of the report and advised that if Members had any issues with the Code they take the opportunity to complete the Monitoring Form and return it to SNH.

## **Decision**

The Forum noted the position.

## **8 NEW PUBLICATIONS – VERBAL UPDATE**

Forum Members were issued with following Publications:-

- 1 Access Rights and Rights of Way – A Guide to the Law in Scotland – published by the Scottish Rights of Way and Access Society;
- 2 Doune & Deanston and Stirling, Bannockburn and Cambusbarron Community Paths;
- 3 “Walkies” – Access Code - what it means for dog owners.

It was noted that leaflets on Access for Cyclists would be available soon. Members were asked for their views on how best to raise the profile on the launch of the Community Paths. It was suggested that Tourist Groups and Hotels could be used as outlets.

It was suggested that Members take on the responsibility of disseminating information from various sources.

## **Decision**

The Forum:-

- 1 noted the Publications as tabled;
- 2 agreed that the following Members take on providing information from the undernoted Groups;
  - (a) National Access Forum – Paul Davison
  - (b) Clackmannanshire Access Forum – Donald Balsille
  - (c) National Parks Forum –

## **9 COMMUNICATION WITH OTHER ACCESS FORUMS**

It was suggested that there would be benefit to have insight into the types of issues that Clackmannanshire Forum dealt with.

### **Decision**

The Forum agreed to exchange their Minutes with colleagues in Clackmannan Access Forum.

## **10 SCHEDULE OF MEETING DATES FOR 2006**

### **Decision**

The Forum agreed the Schedule of Meeting for the remainder of 2006 as follows:-

Wednesday - 30 August and 6 December 2006 – Viewforth, Stirling.

The Chair declared the meeting closed at 7.00 p.m.

**DRAFT**