

PERTH AND KINROSS OUTDOOR ACCESS FORUM

*Minute of meeting of the Perth and Kinross Outdoor Access Forum held in the Board Room, Dewars Centre, Ground Floor, Glover Street, Perth on Thursday 19 May at 6.00pm.

*The meeting proceeded inquorate and it will therefore be required that the minute is ratified at the next quorate meeting of the Forum. Due to the urgent nature of Items 5(i) and 7(i) in particular, Landowner/Manager members of the Forum were written to and asked if they agreed to the decisions as recorded in the minute.

- Present:** Nick Cole, Community (Convener)
 Hugh Anderson, Landowner/Manager
 John Andrews, Recreation (up to and including Item 5(i))
 Heather Baker, Recreation
 Mary Conacher, Recreation
 Councillor Bob Ellis, Agency
 Sue James, Recreation
 Peter Pearson, Community (Vice-Convener)
 Mike Strachan, Agency
- In Attendance:** Dave Stubbs, Greenspace Coordinator (Communities), and Heledd Rheinallt, Committee Services (both Perth and Kinross Council).
- Apologies:** Donald Broad, Landowner/Manager; Jennifer Herd, Community; Mark Thomson, Landowner/Manager.

Nick Cole in the Chair.

1. WELCOME AND APOLOGIES

The Convener welcomed everyone to the meeting and apologies were submitted as above.

2. DECLARATIONS OF INTEREST

Councillor Ellis declared a non-financial interest in Item 7(ii) in terms of the relevant Codes of Conduct.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Perth and Kinross Outdoor Access Forum of 18 February 2016 was submitted and approved as a correct record, subject to the following amendment: Item 5(ii) be amended to read "*the construction of Gabian baskets on the route would be costly and complicated*".

4. MATTERS ARISING

- (i) **Waymarking over trunk roads (Item 5(i) refers)**

Action:

This item be deferred until further information be provided by D Stubbs on options explored for warning or hazard signs before a core path crosses a trunk road.

(ii) Walnut Grove Level Crossing CAMS code 01141 (Item 5(i) refers)

The Forum noted that the Convener had written to the Council, the Law Commission and the relevant Scottish Minister.

Action:

D Stubbs to email members a copy of the letter written by the Convener.

(iii) Willowgate and Stockgreen CAMS code 01235 (Item 5(ii) refers)

The Forum noted that a nearby landowner has an interest in purchasing some of the land on which the park lies, which may facilitate the construction of the steps.

Action:

D Stubbs to ask Andy Clegg, Community Greenspace Team Leader if Perth and Kinross Council will support a volunteer group to carry out minor works or repairs.

(iv) Pitcastle CAMS code 00887 (Item 5(iii) refers)

The Forum noted that D Stubbs had sent D Broad information regarding the process of making an application for a s11 exemption under the Land Reform (Scotland) Act 2003.

(v) Park Village, Crieff CAMS code 00019 (Item 5 refers)

The Forum noted that D Stubbs had circulated information to members regarding the style of gate to be used at Ruchilside.

(vi) Other Fora. NAF, NAF/LAF and LAF/LAF (Item 8 refers)

Action:

This item be deferred to the next meeting for consideration of regional local access forum meetings.

(vii) Annual General Meeting 2016 (Item 10(i) refers)

The Forum noted that the Annual General Meeting 2016 would be held on 26 May in the Pitlochry Festival Theatre. The speakers would be from the company Jacobs.

(viii) Cottown (Item 10(ii) refers)

The Forum noted that the landowner is taking steps to address the issue of the chicane.

(xi) Bird scaring bangers (Item 10(iii) refers)

The Forum noted D Stubbs had passed information about bird scaring bangers to the relevant department of Perth and Kinross Council.

5. EXEMPTION AND OBSTRUCTIONS REPORT – FEBRUARY 2016

There was submitted and noted a report (G/16/112) outlining Exemptions and Obstructions for February 2016.

The Convener raised concerns regarding the possible obstruction at Tullyfergus, Blairgowrie. D Stubbs provided assurance that once the identity of the landowner is known, they will be written to regarding the obstruction.

Members discussed concerns regarding the amount of legal resources dedicated to resolving longstanding obstructions by Perth and Kinross Council, as well as the lack of powers provided to the Forum to solve these issues.

Actions:

- (i) The Convener to write to Perth and Kinross Council and the relevant Scottish Minister regarding the issues of legal resources and powers that the Forum has, with a copy of the letter to be sent to the National Access Forum.
- (ii) D Stubbs to write to the Mountaineering Council of Scotland to notify them that the longstanding issue at Glenlyon car park at Inverar is to be closed due to the lack of complaints.

(i) T in the Park Exemption 2016 – 7 July to 11 July 2016 (inclusive) in the interests of safety and security and to allow for a charge to be made for an event

Action:

Members agreed to grant the exemption order in terms of section 11 to the Land Reform (Scotland) Act 2003.

J ANDREWS LEFT THE MEETING AT THIS POINT

(ii) Obstructions

All issues were closed that needed to be closed.

6. CORE PATHS UPDATE – CORE PATHS IMPLEMENTATION REPORT

There was submitted and noted a report by D Stubbs (G/16/114), summarising Core Paths Implementation progress to May 2016.

Councillor Ellis enquired whether it is possible to request additional signs. D Stubbs advised that extra signs could be provided by F Berry, Perth and Kinross Council, if the Blairgowrie & Rattray Access Network is willing to put them up.

7. ANNUAL GENERAL MEETING

(i) Agenda

The Forum noted that D Stubbs had circulated the agenda for the Annual General Meeting to members.

(ii) Membership

The Forum noted that Hugh Anderson, Heather Baker and Peter Pearson will require to be re-elected at the Annual General Meeting.

(iii) Possible Changes to Terms of Reference to Accommodate Additional PKC Member

Members discussed the possibility of changing the terms of reference to accommodate an additional Perth and Kinross Council Member, as requested by the Environment Committee (Art. 15/545 refers), considering the following issues: no other outdoor access forum in Scotland has more than one local authority representative; the Forum is not a political group; the public can attend meetings of the Forum; another agency member could affect the voting balance of the Forum; there is a vacancy in the Community representatives group on the Forum.

Resolved:

- (i) Councillor Mike Barnacle be invited to submit an application for the vacant Community representatives group on the Forum, subject to it being made clear that he will be representing the community and not Perth and Kinross Council.
- (ii) The following changes be proposed to be made to the Perth & Kinross Outdoor Access Forum Terms of Reference at the Annual General Meeting: (a) 2.1 to read "*The Forum will follow the policies adopted by Perth & Kinross Council (Council) in relation to acts..*" (b) all further reference from 2.1 to Perth & Kinross Council be amended to read *the Council* (c) 4.3 to read "*To mediate and offer advice to the Council and other parties to help resolve access conflicts, by a process of seeking consensus*" (d) 7.2 to read "*..in place of that member..*" (e) 8.2 to read "*other appropriate bodies currently represented on the Forum are Perth & Kinross Council, Scottish Natural Heritage, Forestry Commission (Scotland) and the*

Centre for Inclusive Living Perth & Kinross” (f) 8.4 to read “..will be put forward for formal appointment by the Council at the next available meeting of the appropriate Committee” (g) 8.11 to read “...from the membership following elections of members in April/May and Council confirmation (see 8.4 above)” (h) 9.3 to read “These will be sent to members 1 week in advance of the meeting” (i) 9.11 to read only “Any decisions must be made by a quorate representation. A meeting shall not be quorate unless at least two members (or their nominated substitutes) from each of the Landowner/Manager, Recreation and Community groups are present” (j) 9.12 to read “...and will not be permitted to vote on this matter”.

8. WATER ISSUES

M Conacher reported:

- The bridge across the River Blackwater which had been compromised by the heavy flooding over the winter had been removed; a new replacement bridge is expected to be built in October 2016
- The flooding had also exposed spikes at the weir on the River Tay, as old weirs were constructed as bags of concrete with spikes through them to hold the concrete together; temporary safety measures had been put in place by kayakers, but additional measures will be required

The Convener highlighted the spikes as a major safety issue.

Action:

D Stubbs, F Berry and Perth and Kinross Council to write to the landowner draw their attention to the major safety hazard. The landowner and other interested parties, for example kayakers and fisherman, and Perth and Kinross Council, then be invited to discuss the best way of resolving the issue.

9. CORRESPONDANCE

(i) Scottish Women’s Institutes

The Chair reported that he had attended the meeting of the Scottish Women’s Institutes, which had been very interesting, and he had been asked lots of questions.

(ii) National Access Forum’s Camping Guidance

The Convener referred to a NAF Camping Guidance document that stated that a useful way of managing wild camping was to block off roadside parking areas. He reported that that he had responded to the guidance in

terms that blocking car parks for the purposes of preventing lawful access taking is contrary to the Land Reform Act 2003.

(iii) Dunning Glen Bridge

The Forum noted that the Chair had sent a letter to the Courier, in reply to a previously published letter, regarding the Dunning Glen Bridge.

10. ANY OTHER COMPETENT BUSINESS

(i) Dog fouling

Members discussed the issue of dog fouling.

Action:

N Cole to write to Scottish National Heritage regarding information used to prevent dog fouling, and send a copy to Denise Reid, Forestry Commission Area Manager for Grampian and Tayside.

11. DATE OF NEXT MEETING

The Annual General Meeting would take place on 26 May 2016 at 6.30pm in the Pitlochry Festival Theatre.

The next ordinary meeting of the Perth and Kinross Outdoor Access Forum would take place on 18 August 2016 in the Board Room, Dewars Centre, Perth.