

## **EAST LoTHIAN COUNCIL**

### **PARTNERSHIPS & COMMUNITY SERVICES**

Minutes of the meeting of the **EAST LoTHIAN LOCAL ACCESS FORUM**  
held on **31<sup>st</sup> July 2019** at Saltire Rooms1 & 2, John Muir House, Haddington.

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#### **PRESENT:**

James Wyllie (Chair) .....NFUS	Erik Bigland ..... Ramblers
Keith Burns .....Cycling UK	John McMillan ..... ELC Councillor
Constance Newbould .....BHSS	Liz Poulson ..... Scottish Forestry
Andrew Ralton .....Scotways	Ken Reid .....Independent co-optee
Jon Swift .....AELCC	Janice Winning..... SNH

#### **ATTENDING:**

Neil Clark.....ELC Countryside	Nick Morgan ..... ELC Countryside
Charles Stevenson.....Clerkington Estate	

#### **APOLOGIES:**

Sue Kempson .....ELC Councillor	Paul Chandler.....NTS
Eamon John.....ELC SCL Manager	Jill Mackay.....ELC Communications
Thomas Stanley.....Landowners	

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### **ACTION**

The Chair started the meeting by saying how saddened he had been to hear of the death of Bill Cuthill in April. Bill had been a member of the Forum for more than 15 years and had made a considerable contribution in that time. The Chair will write a letter to Bill's wife on behalf of the Forum offering sympathy to his family.

#### **INTRODUCTIONS**

The Chair welcomed Janice Winning from SNH, who acts as secretary for the NAF, and thanked her for taking the time to attend our meeting. He also welcomed Andrew Ralton, who now represents Scotways on the Forum and Charles Stevenson who was going to talk about Clerkington Estate.

The Chair thanked Keith Burns, who is standing down from the Forum, for his long service representing cyclists. Keith proposed Mark James as his successor and this was approved by the membership.

#### **1. NOMINATIONS FOR THE POSTS OF CHAIR AND VICE-CHAIR AND ELECTION OF CHAIR AND VICE-CHAIR**

Nominations for the position of Chair of the Forum were invited. James Wyllie nominated Jon Swift. This was seconded by Keith. There were no other nominations, so Jon was duly elected as Chair.

Nominations for the position of Vice-chair were invited. Jon nominated Constance. There were no other nominations, so Constance was duly elected as Vice-chair.

## **2. MINUTES OF THE MEETING held on 17th April 2019.**

The minutes were agreed as a true reflection of the meeting. Proposed by Constance and seconded by Keith.

## **3. MATTERS ARISING**

- 3.1 Councillor McMillan proposed a walk during the October holidays incorporating the Three Tops – North Berwick Law, Traprain Law and Lammer Law. He would like to incorporate awareness of the countryside and the LAF. The idea needs more planning. John will liaise with Nick. **JMcM**
- 3.2 Councillor McMillan offered to be the Council's cycling champion. He felt this would be appropriate because of his work with schools and being Spokesperson for Economic Development and Tourism.
- 3.3 Nick considers that access rights should apply through the gate into Fox Lake. He will contact the owners and ask if a gap can be created to allow non-motorised access. **NM**
- 3.4 Nick had sent a map of the area around the end of the Herring Road to the Chair.
- 3.5 Nick had included a message of gratitude from the Chair with the Path Wardens monthly update that he sends to them.

## **4. CLERKINGTON ESTATE**

- 4.1 Charles Stevenson talked to the Forum about Clerkington Estate, which is located to the west of Haddington. There is a blanket TPO on the woodland on the estate. While the Local Development Plan was still being formalised, a planning application was submitted for Dovecote. Although this was turned down by East Lothian planners, on appeal the application was approved by the Scottish Government Reporter, who recommended a path through Clerkington to Haddington.
- 4.2 There has always been informal access in Clerkington, but there has been a big increase in usage since the Dovecote development has been built. There is a new pavement next to the A6093 which encourages more people to walk in that direction. Mr Stevenson proposes to extend the river-side core path through Clerkington to the Dovecote development. This would require a bridge to be built over the Letham Burn.
- 4.3 Liz said that the estate would be eligible for Woodland In and Around Towns (WIAT) funding, which offers fixed rates for paths, bridges, etc. There is also an annual contribution for maintenance. Scottish Forestry would be broadly supportive of an application, but it would be important for the estate to show that it has undertaken stakeholder engagement.
- 4.4 It was agreed that the proposed paths would be a valuable addition to the core paths network and would encourage people to walk rather than use the car. The Chair said

that the Local Access Forum is supportive of the proposal. Nick offered to help with the project.

- 4.5 Mr Stevenson said that the estate was a local biodiversity site and he wouldn't want to have too formal a path system. He was also concerned about potential disturbance to wildlife, but said that he believed that formal access led to a reduction in antisocial behaviour because there were more people around to report issues.
- 4.6 Jon said that planners should consider the pressures that developments can have on neighbouring landowners. Constance agreed and said that many developments in Midlothian had resulted in the loss of horse-riding routes. Councillor McMillan said that the Main Issues Report for the next Local Development Plan would be being produced soon and that would be a good opportunity for raising concerns about public access and horse riding and the importance of field margins and other paths.
- 4.7 Mr Stevenson was thanked for attending the Forum meeting and it was reiterated that the Forum were supportive of his proposals.

## **5. FACEBOOK**

- 5.1 Ken made his usual plea for material to put on the Facebook page. The East Lothian Local Access Forum Facebook page was praised at the National Access Forum. There are now over 200 followers.

## **6 'PATHS IN EAST LOTHIAN' PUBLICATION**

- 6.1 Nick has produced a new walks sheet covering the Gullane to North Berwick section of the John Muir Way. This is the 31<sup>st</sup> walks sheet produced.

## **7. ACCESS OFFICER'S UPDATE**

This was circulated in advance of the meeting and Nick ran through it, *copy attached*.

- 7.1 Concern was raised about Sustrans' requirements for paths that they fund to be 3.5 metres wide, with minimum width of 3 metres for short constrained sections. The Chair offered to write to Sustrans about this. **JW**

## **8. ACCESS ISSUES UPDATE**

A summary of access issues was circulated in advance of the meeting, *copy attached*.

- 8.1 The Chair said that the Forum had always taken the view that they were relaxed about the locked gate at Monktonhall as long as there were no complaints about it. However, it was noted that there had been three complaints since the last meeting and he was keen to know what actions can be taken. Neil has twice contacted the estate, but had no response. Yesterday he met the Council's Legal Team and so a more formal approach is being taken.

## **9. MEMBERS' UPDATES**

- 9.1 Constance expressed her concerns that various sections of pavements next to main roads in Midlothian have been proposed as cycleways. This would mean that horses have to remain on the road, but could have cyclists passing on both sides. BHS have objected, asking instead that they should become multi-use. However, Midlothian Council have said that would have to be decided by Transport Scotland. Nick suggested that if these pavements were designated as core paths, then they would become multi-use.
- 9.2 Ken raised the issue of the amount of wild camping that there has been between Yellowcraig and North Berwick. Neil said that the Ranger Service try to move on people who are not being responsible. One of the difficulties is that there is no definition of wild camping. There have been problems, particularly at Tynninghame, of large groups of campers, many of whom have not been behaving responsibly. The Ranger Service has produced a poster stating that irresponsible camping is illegal and describing responsible camping. The police are also involved in the campaign. Janice said that camping will be an agenda item at the September meeting of the NAF. One of the difficulties is how to get information out about responsible camping. Neil will forward the poster to Ken to put on the Forum's Facebook page. **NC/KR**
- 9.3 Councillor McMillan reported that after concerns had been raised at Gifford Community Council about inconsiderate cyclists at some cycle events, he had written to various cycle clubs asking members to consider local residents and safety when cycling in the area. He will write to the clubs again later in the year.

## **10. ANY OTHER BUSINESS**

- 10.1 Janice gave an update on recent work of the NAF. A sub-group has been looking into the role of mediation and how it could help to break deadlocks with stalled access issues.
- 10.2 Another sub-group has been looking at dogs and livestock. A clearer message is needed about controlling dogs near livestock. Even taking dogs close to livestock when on a lead can be an issue. More than 50% of attacks on livestock are by unaccompanied dogs. It was also noted that walkers, cyclists and horse riders can have issues with badly behaved dogs.
- 10.3 Janice also reported that SNH and the NAF are reviewing the Improving Public Access funding scheme, which ended this year.
- 10.4 The SOAC web site has been updated with revised guidance on drones using CAA advice.
- 10.5 With the growth in popularity of e-bikes and because of increasing speeds, SNH are looking at the interaction between e-bikes and other users.
- 10.6 SNH are looking at ways of making particular elements of the SOAC more accessible to a younger audience.
- 10.7 Jon expressed his concern about the wording of a note from the NAF in January about the work of one of the sub-groups. Someone from the Kennel Club had suggested that Local Access Officers should move away from working strictly with the wording in the SOAC and he pointed out that this was not possible.

- 10.8 Councillor McMillan reported that the Council were working with Sestran on a trial project to have e-bikes available for hire in Musselburgh. These can be used as part of a journey and will be available from Musselburgh Station and the Brunton Hall.
- 10.9 Iain Reid had asked Nick to inform the meeting about the Beat the Streets game that will be introduced in Prestonpans and Musselburgh, funded by the Area Partnerships. This involves boxes located around the towns that people can swipe a card on and collect points for local charities. Nick will send details about it to the Forum members. **NM**
- 10.10 Nick expressed his thanks to Keith for his long service on the Local Access Forum, both as cycling representative and Chair. He also thanked James for the time and effort he had put in as Chair of the Forum.

## **11. DATE OF NEXT MEETING**

Wed 30<sup>th</sup> October 2019 from 2pm – 4:30pm, Saltire Rooms 1 & 2, John Muir House, Haddington.