

EAST LoTHIAN COUNCIL

PARTNERSHIPS & COMMUNITY SERVICES

Minutes of the meeting of the **EAST LoTHIAN LOCAL ACCESS FORUM**
held on **29th January 2020** in Council Chambers, Town House, Haddington.

PRESENT:

Jon Swift (Chair).....	AELCC	Erik Bigland.....	Ramblers Scotland
Paul Chandler.....	NTS	Mark James.....	Cycling UK
Sue Kempson	ELC Councillor	Constance Newbould	BHSS
Andrew Ralton	Scotways	James Wyllie.....	NFUS

ATTENDING:

Neil Clark.....	ELC Countryside	Jill Mackay.....	ELC Communications
Nick Morgan	ELC Countryside		

APOLOGIES:

Paul Armour.....	Golf Courses	Jo Daly	Scottish Forestry
Eamon John.....	ELC SCL Manager	Ken Reid	Independent co-optee

ACTION

1. MINUTES OF THE MEETING held on 30th October 2019.

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

2. MATTERS ARISING

2.1 Nick has spoken to the owner of Fox Lake, who has agreed to put a gap in the fence for non-motorised access. He will talk to the landowner prior to doing this.

Although he is happy for people to park there to walk, he has concerns about dog walkers not controlling their dogs, or clearing up after them.

2.2 James and Nick met with Sustrans about their requirement for paths they fund to be 3.5 metres wide. It turned out that the reason they are not going to fund the extension to the railway walk is because of a bend around an oil tank. This could easily be solved. Nick and James are attending a meeting at the hospital in February with Sustrans, Morrison Construction and various members of staff from the NHS. If Sustrans remain inflexible about what they will fund members of the Forum were keen to take this up with Transport Scotland or Scottish Ministers. Nick and James will report back before the next Forum meeting. **JW/NM**

2.3 There was a general concern about the requirement for Sustrans-funded paths to be 3.5 metres wide. Paul pointed out that this will limit the number of paths that will be upgraded at places like Newhailes. Erik asked where this requirement had come from. James pointed out that Sustrans is a charity that aims to support walking and

cycling and that they are precluding many good walking paths because of their minimum width requirement.

- 2.4 Helene Mauchlan from the BHS will be attending the April meeting to talk about horse riding issues.
- 2.5 Nick has been in touch with Paul Armour. He was unable to attend today's meeting but is intending to come to the April meeting. He is keen to meet with Nick before then to discuss what the Golf Club have been doing.

3. NATIONAL ACCESS FORUM

- 3.1 Nick had circulated the papers for the next National Access Forum, which included a number of subjects topical in East Lothian.
- 3.2 There were some concerns voiced about the new messages for dog walkers and it was felt that the wording could be clearer and the message stronger. It was recognised that to amend the legislation or Code would be lengthy and require approval from Scottish Ministers, so any additional guidance had to remain in line with what the Code already says.
- 3.3 There was much discussion about commercial dog walkers, the number of dogs they walk, what happens when two or more commercial dog walkers are walking dogs in the same area, their impact on other people's enjoyment of the countryside and East Lothian Council's accreditation scheme.
- 3.4 Neil noted that more people are visiting Aberlady Local Nature Reserve because they want to avoid walking where there are dogs. West Fenton have stopped horse riding at Yellowcraig because of the number of dogs. Councillor Kempton pointed out that there are occasional irresponsible horse riders who have been seen cantering along Yellowcraig beach on a busy summer's day when there have been a lot of dog walkers there.
- 3.5 James has experienced several incidents of dogs worrying sheep on his own farm. He said that a more coordinated approach was needed. For instance the SRDP won't fund fencing along a track if vehicles use it. However, that would be a simple way to protect sheep from dogs and people from cattle. There is legislation that covers sheep worrying, but the authorities need to implement it and there need to be higher penalties. James asked for the link to the NFUS' awareness raising campaign to be circulated. <https://www.nfus.org.uk/policy/campaigns/control-your-dog-on-farmland.aspx>
- 3.6 Constance suggested that all dog owners should have third party insurance.
- 3.7 Nick read out Janice Winning's e-mail about the joint NAF/LAF meeting which will be held on 20th March in Battleby. Janice has asked if someone from East Lothian Local Access Forum would like to lead one of the 15 minute workshop sessions. James said that it is a meeting that is well worth attending. Nick will circulate details again. Anyone interested in attending, or taking a workshop, should contact Nick. **NM/All**
- 3.8 Nick highlighted the item on Informal Camping. This had been brought to the NAF by various Local Authorities and Mountaineering Scotland due to the rise in irresponsible camping. There appear to be a number of different terms used these days, such as informal camping, dirty camping, wild camping, roadside camping,

etc. The NAF is going to develop some messages about responsible camping. Nick hopes that this will give clearer guidance on what wild camping actually is, given the issues we have experienced on some of our coastal sites.

- 3.9 There was a bit of discussion about the need and effectiveness of professional mediation. Whilst we would hope that the Local Authority or the LAF could mediate in most access issues cases, it was recognised that in some other authority areas there may be no LAF or they may have less experience.
- 3.10 Nick reported that SNH have been doing work to review the effectiveness of Improving Public Access funding. Nick has responded to their questionnaire and it is hoped that a similar funding scheme may be available from 2012. It was noted that East Lothian had benefitted from £741,000 funding for paths through this scheme, which is valuable because the landowners can see the clear benefit of providing public access and they take ownership of the paths.
- 3.11 Nick noted that there is still work ongoing to try to map paths across Scotland. The Ramblers had been keen to map all the core paths, but it would appear that the NAF is now talking about the wider path network. Nick is a bit concerned that this may imply that access should only be taken on the paths that are mapped, rather than everywhere that the legislation allows. This would also require a lot of work to make the lines draw correctly on the 1:25,000 maps, as they will have originally been drawn onto 1:10,000 or more detailed maps.
- 3.12 Nick was pleased to note that Rona Gibb and Helen Todd had made a plea for funding for paths for walking, rather than focussing on heavily engineered active travel routes, echoing the views of this LAF.

4. FACEBOOK

- 4.1 The Chair passed on his appreciation for the work that Ken does, keeping the Facebook page up to date and reminded members to send any relevant stories to Ken, including a picture.
- 4.2 Ken sent an update for the meeting, which unfortunately arrived too late, it is copied below for completeness.

The page has 227 likes.

Posts since last meeting:

22/01 Spott to Dunbar link consultation – seen by 90, liked by 2

20/01 JMW hedge planting – seen by 187, liked by 4, 2 comments.

15/10 FPW horse access signage – seen by 122, liked by 7,

Two out of three were things I spotted when out and about. As ever, I would appreciate it if others spotted things and felt like sharing them. Anything that reflects access in the widest sense, not just what we do here in East Lothian, we can learn from others. As most members are representatives of organisations, there must be access news from their wider network.

5 ‘PATHS IN EAST LOTHIAN’ PUBLICATION

- 5.1 Nick hasn't managed to produce a new walks sheet for this meeting. This is more because of not being able to find a suitable walk that can be promoted, rather than because of a lack of time. There are now 32 walks sheets and Nick showed a map,

with the walks highlighted. Any remaining core paths are either in remote areas with no public transport, requiring a car to be left at either end, or in areas where there is a great deal of housing development.

- 5.2 There may be an opportunity to promote these routes through a Smarter Choices Smarter Places project.

6. ACCESS OFFICER'S UPDATE

This was circulated in advance of the meeting and Nick ran through it.

- 6.1 The Council's Legal Team have looked at the evidence to support the route through Dirleton Mains Steading being a right of way, that had been gathered by the community. Nick heard just before the meeting that the Legal Team consider that there is sufficient evidence to support the route being a right of way.
- 6.2 Nick will circulate a draft of a sign that has been produced by the Captain of North Berwick golf club. These will have cartoons illustrating responsible behaviour to help visitors from abroad. Nick was a little surprised with the wording and is interested to receive comments from Forum members. **NM**

7. ACCESS ISSUES UPDATE

A summary of access issues was circulated in advance of the meeting.

- 7.1 Neil had received plans from Dalkeith Estate just before he was about to send them a legal letter. These showed proposed new gates, but there were a couple of issues that Neil was not happy with. They appeared to be too narrow for wheelchairs and it looked as though they could have locks requiring a code. Neil has commented to say he was not happy with those aspects, but hasn't heard back.

8. MEMBERS' UPDATES

- 8.1 James reported that the NFUS is still progressing their responsible dogs campaign.
- 8.2 Andrew is helping Spokes out with their update of the Midlothian Cycle Map, by checking the suitability of various routes.

9. ANY OTHER BUSINESS

- 9.1 Erik said that the Ramblers have been invited to comment on the path that Cala are building from Gullane to West Fenton.
- 9.2 James has been working with the group who are progressing the Forth to Farne pilgrim route. This route uses sections of existing paths. They are looking at options for waymarking. He asked the members of the Forum if they were happy for this to go ahead. The Forum was supportive of the project.
- 9.3 The Chair reported that the underpass from the Orchardfield development into East Linton has flooded three times in the last three months. Nick will ask Planners if the developers can look at this. **NM**

- 9.4 Councillor Kempson asked why Seafield Pond was no longer used for water activities. Neil responded that there is limited open water in East Lothian and it is an important facility. However, water quality is not good and investigation into how it can be improved is underway.
- 9.5 Councillor Kempson enquired about the parking at Tynninghame Links. There are often more cars there than spaces. Neil responded that there is a further complication with an application to convert the steading into a retail facility. If this goes ahead there will be a lot of car parking provided. However, there are concerns about the impact this could have on the SPA. An external consultant has been appointed to carry out an appropriate assessment for this application. Yellow lines may help the parking situation, although they would be difficult to enforce. Mark suggested that cycle parking could help reduce cars.
- 9.6 Mark mentioned a blog, Parks Watch Scotland, which comments on issues in Scotland National Parks. <http://parkswatchscotland.co.uk/2020/01/26/access-rights-camping-and-gaps-in-visitor-infrastructure-in-the-cairngorms-national-park/>

10. DATES OF NEXT MEETINGS

Wednesday 29th April, in Saltire Rooms 1 & 2 in John Muir House, Haddington.

Wednesday 29th July, in Saltire Rooms 1 & 2 in John Muir House, Haddington.

Wednesday 28th October, in Saltire Rooms 1 & 2 in John Muir House, Haddington.