

EAST LoTHIAN COUNCIL

PARTNERSHIPS & COMMUNITY SERVICES

Minutes of the meeting of the **EAST LoTHIAN LOCAL ACCESS FORUM**
held on **27th July 2022** In Saltire Room 1, John Muir House, Haddington.

PRESENT:

Jon Swift (Chair)..... AELCC
Constance Newbould .. BHSS
James Wyllie..... NFUS

Peter Hildrew Scotways
Ken Reid Independent co-optee

ATTENDING:

Neil Clark..... ELC Countryside
Nick Morgan ELC Countryside

Lydia Miller ELC Climate Change

APOLOGIES:

Maggie Allan Scottish Ramblers
Paul Armour..... Dunbar Golf Club
Jill Mackay..... ELC Comms.
Shona McIntosh ELC Councillor
Thomas Stanley..... Landowners

Martin Andrews Wemyss & March
Eamon John..... ELC SCL Manager
Colin McGinn ELC Councillor
Alasdair Sangster Scottish Forestry

ACTION

At the start of the meeting the members introduced themselves to Peter Hildrew, who has joined the Forum, representing Scotways. It was noted that there had been a number of changes to the membership recently. There had been no response from the Scottish Rural University College despite Nick contacting them a few times. NatureScot have recently said that they will no longer be involved with Local Access Forums. Paths for All Partnership stood down from Local Access Forums some years ago, so there is no longer a national organisation to share good practice from elsewhere around Scotland. Ken suggested that the Forum should contact the National Access Forum to express disappointment with the disconnect. **JS**

1. MINUTES OF THE MEETING held on 27th April 2022.

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

2. MATTERS ARISING

2.1 There were a number of action points in the minutes. All had been fulfilled other than those noted below.

2.2 Nick had been in touch with the landowner at Danskine and they had suggested the horse rider could contact them directly for information about where to ride. James wasn't happy about the arrangement. Constance said she would contact the horse rider and visit the area together to take a look. **CN**

2.3 Nick has twice chased up the Legal Team about the locked gate at Eweford. They are struggling with staffing capacity. Nick will keep up the pressure. Neil will also contact them about this. **NM/NC**

2.4 Constance didn't get a response from the organisers of the endurance ride at Balgone, so couldn't get a photograph for Facebook.

2.5 Neil is hoping to take an opportunity to talk to the landowner about the access at Fox Lake when he is in touch about other matters. **NC**

2.6 Nick e-mailed the Rural Payments Team about public access on grass margins. The response is below:

"As expected unfortunately we don't have any definitive written guidance specifically relating to horse riders and walkers. The Outdoor Access Code that you have already mentioned would be the main source of advice of best practice and areas under specific scheme management would still come under the normal responsible access rules.

As long as there is no tracking/poaching due to use of a margin or grass strip, there would be no penalty applied at an inspection. However, a producer could be penalised if an EFA margin or grass strip becomes ineligible due to tracking or poaching.

Growing crops should not be trampled, so technically if a hay crop is to be taken from a grass strip and the grass is above ankle height as you mention, it shouldn't be accessed by horses or walkers. However, there wouldn't be any penalty applicable to the producer if the crop was damaged but no poaching occurred - just the direct financial loss."

2.7 The advice given above is different from what many people on the Forum had understood. Jon had previously been told that any damaged caused by a member of the public wouldn't impact on grant payments. James felt that the advice is unjust, as if the margin is used for recreational purpose the landowner shouldn't be penalised. He asked that Nick respond to the Rural Payments Team to pass on the views of the LAF. **NM**

2.8 Constance has heard through the British Horse Society that Bridget Jones at NatureScot is preparing some guidance about the subject.

3. CLIMATE CHANGE IN EAST LOTHIAN

3.1 Neil explained that Lydia Miller has been recruited as a graduate intern to look into ways that the Countryside Team and wider Council can make changes to reduce their impact on climate change. The Council has a Climate Change Officer, Hanna Lundstrom, and she holds working group meetings, at which different departments report on how they are trying to reduce their impacts on climate change. The Council has various targets and it has to report back to the Scottish Government. The Countryside Team has five aims:

- To reduce purchasing – repair, don't buy new;

- Reduce waste, increase recycling;
 - Reduce mileage in our diesel vans (we have two electric vans now);
 - Promote active travel or car sharing;
 - Communicate what we are doing.
- 3.2 Lydia continued that the changes the Countryside Team are making will be shared across the Council and beyond in the hope that others will take up some of the measures. She is currently exploring options for some of the Team to use cargo bikes and hopefully will soon be getting some on trial. She also produces a weekly e-mail about climate change terminology. Some of the Countryside Team have been on Climate Literacy Courses.
- 3.3 Lydia is also keen to do research into climate change and adaptation in East Lothian. She is keen to interview people who have lived or worked in East Lothian and witnessed impacts of climate change and find out how they adapted to these. If anyone would like to talk to Lydia, she would be delighted to hear from you, or anyone else you think may have an interesting story. Her e-mail is lmiller5@eastlothian.gov.uk
- 3.4 James suggested that there is a lot to consider. The time it takes someone to cycle to a site against what they could have been doing on site in that time. Not all electricity is green. Neil responded that it is important to try things out. The Warden at Aberlady Local Nature Reserve has given up his van and now cycles with a trailer. He finds that he is engaging more with the public and noticing more. Neil used to commute by bus and used the time to work on his laptop.
- 3.5 Ken agreed that many current changes are not necessarily the answer, such as electric cars, which still require resources to build and cause congestion.
- 3.6 James has found that on the farm business efficiency equated to reduction in inputs, which was generally better for the environment. He mentioned the TIBRE – Targeted Inputs for Better Rural Environment handbook that NatureScot had a hand in producing.
- 3.7 Constance said that she now has difficulty getting rid of her muck heap. In the past there were green fields around and farmers would spread it on their fields. Now houses have been built on the fields. She asked why brown field sites are not used, rather than prime agricultural land.
- 3.8 Jon noted that the angling industry is changing in response to the warming climate. Rainbow and Brown Trout need water temperatures below 20 degrees. Any period of warmer temperatures can cause stress or death. Some fisheries close down when the water temperature is above this. Others have moved over to Carp, which can tolerate warmer water. Algal blooms are also becoming more common.
- 3.9 Nick expressed his concerns about the windfarms in the Lammermuirs, with large tracks with drainage ditches on either side. This appears to mean that the hills are not retaining water as they did and burns, such as the Dry Burn, have much more fluctuations in their flows. This burn used to just dissipate into the shingle at the coast, but a bridge has had to be built over it as there is often so much water in the

burn now. Two other bridges over water courses on the east of the Lammermuirs have been washed away since the windfarms were built.

- 3.10 If anyone has any examples of the impacts of climate change and how they have adapted because of this please let Lydia know on the e-mail above.

4. FORUM FACEBOOK

- 4.1 Ken reported that things had been fairly quiet on the Forum's Facebook page recently. There are now 490 followers of the page. There had been an interesting series of shared posts with the Countryside Rangers and East Lothian Council on responsible wild camping. Between the three pages thousands of people will have seen these posts, which went out in good time prior to the camping season.
- 4.2 There had been a post about the accessibility of the John Muir Way. This promoted a web site produced by the Green Action Trust, which highlights sections on the route that may cause difficulties for users. Ironically, Ken found that the web site itself wasn't particularly accessible for people who are visually impaired.
- 4.3 Ken had also copied an article about a new book shop in East Linton that specialises in books on wildlife.
- 4.4 Ken said that he is happy to share any stories that members think are relevant. He is happy for people to contact him via his e-mail ken.reid@uwclub.net Alternatively, you can send them to Nick who will forward them on. James said it is important for members to provide copy as Ken puts in a lot of effort to keep the Facebook page up to date. **All**

5 ACCESS OFFICER'S UPDATE

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

- 5.1 Constance has a picture of the Uliti-trek used on the Pencaitland Railway Walk that she will send to Ken to put on Facebook. **CN**
- 5.2 The app about the coastal carparks is called "Visit East Lothian" in the app stores. The Go Jauntly walking app is called "Go Jauntly Discovery Walks".

6. ACCESS ISSUES UPDATE

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

- 6.1 Jon suggested that to save time in future meetings the sheet with details of the access issues should be circulated in advance and members should be asked to check through it and have questions ready. **NM**
- 6.2 Ken mentioned that the summit at Doon Hill is fenced off. Nick will check this out as he has contacted Spott Estate to ask about some mystery pedestrian gates. **NM**

7. MEMBERS' UPDATES

- 7.1 Ken asked if it was correct for a large shooting estate to have signs up on a long-distance route stating that shooting would be taking place (over a long period of time). Although it would be better to have specific dates there is nothing illegal

about doing this. It is the responsibilities of shooters to ensure the safety of the public. Any shoot across a path should have someone posted at either end to engage with the public and ask them to wait a few minutes before proceeding.

- 7.2 Peter said that Scotways are looking for information to establish if the rail crossing at Dalwhinnie is a right of way. There is concern that Scotrail have closed the crossing, potentially making it more dangerous, as people climb the gate in an attempt to cross the railway. There is concern that if they are able to close this crossing then it could set a precedent for other crossings in Scotland.
- 7.3 Jon said that he would encourage members to go to the joint NAF/LAF meetings in the future. He found them very useful. James agreed that there is much useful discussion and a good way to find out what is going on elsewhere in Scotland.

8. DATES OF NEXT MEETINGS

Wednesday 26th October 2022, via Teams.

Likely dates for meetings in 2023, although not confirmed at the meeting would be:

Wednesday 25th January – live meeting.

Wednesday 26th April – via Teams.

Wednesday 26th July – live meeting.

Wednesday 25th October – via Teams.