

Scottish Borders Access Forum

Minutes of the Meeting held on Tuesday 23rd October 2018

Present:

William Davidson (Chair)
Councillor Mark Rowley (Executive Member for Community Planning).
Rory Powell (Buccleuch Estates Bowhill Ranger)
Michael Paton (Buccleuch Estates Bowhill Ranger)
Trevor Bryant (Cycling)
Beryl Masson (British Horse Society)
David Langworth (Melrose Paths Group)
Graeme Johnstone (SBC Lead Officer - Access and Transport)
Keith Robeson (SBC Senior Ranger)
Erica Niven (SBC Access Ranger – West)
Steve Fortune (SBC Access Ranger part time – East)
Walter Douglas (NFU)

Apologies

Douglas Wright (Central Tweeddale Paths and Scottish Rights of Way Society)
Ian Aitchison (Scottish Land & Estates)

Minutes of last meeting of the Access Forum

Minutes accepted as a true reflection.

Matters arising

Under Equestrian update, BM sought advice regarding a situation where an accommodation provider had asked a neighbouring landowner for permission for her clients to ride an informal route and permission had been denied. The accommodation provider wanted to know if it was acceptable for her clients to use the route under rights of responsible access and to produce a map showing the route which could be handed out to her clients. The forum felt that the 2 parties should work together to resolve the issues but that the accommodation provider would have a right to provide information about the route to their clients so long as that access was being taken responsibly.

Access Rangers' Area Reports

A paper was previously circulated by email.
KR drew attention to the following:

- EN had assisted with a bid to secure £100,000 grant from the Scottish Government to carry out path improvement works on the Eildon Hills which will involve a mix of upland and lowland path building techniques, some of the work will go out to specialist contractors. Bob Brown, National Trust for

Scotland produced costings and EN thanked DL for information provided by volunteers which helped secure the funds.

- A variety of path works had been undertaken and included:
 - Steps repaired on Tweed Walk near Peebles
 - Gates installed at Flemington
 - Path improvement works done to a section of SCW at St Boswells
 - Steps and surfacing works on a path leading from the Haven to Coldingham Bay.
 - Improvements to waymarking – Gala Policies, BAW in Hawick / Jedburgh area
 - Tidying up after storm Ali – many fallen trees and large limbs having to be dealt with – a probably still more to deal with which have not been reported yet.
- Promotion of the path network continues through facebook and walkscottishborders website and the sale of publications (see bar chart).
- Access Rangers were involved leading walks for 2 walking festivals, and a blind ramblers group, they attended the schools countryside day at Springwood Park and led a map reading workshop at the WalkIt leaders conference
- At Coldingham Sands some minor improvements were done for public access and new beach huts have been constructed by their owners and a few have been upgraded too.

Walking festivals update

- Galashiels held their Walking Weekend Festival in April. The rangers led a couple of walks. The event was well attended with numbers of bookings up on the previous year. Initial planning is now underway for the 2019 event.
- Scottish Borders Walking Festival, Hawick in September. This event was very well attended with virtually all the walks being fully booked. The ranger service led a walk at Newcastleton and led 6 walks taking in the whole of the Borders Abbeys Way during the week which booked up very quickly. Each day there were 2 other longer walks and a free and easy walk around various parts of the town. The organisers undertook an online survey of attendees which had a 48% response – feedback was very positive regarding the walks, the organisation and the friendliness of everyone. A few comments were made about wanting more ‘moderate’ walks and lack of a ceilidh and welcoming evening.
- The organisers of Hawick have recently met with the new group set up to organise the 2019 event in Selkirk which will take place from 7-14 September. Lessons learnt and guidance has been passed on. There is a public meeting arranged for 7pm on Tuesday 6th November in the Victoria Hall, Selkirk for anyone wishing to get involved with helping to organise the event.
- The 2020 event will take place in Jedburgh and Ancrum.

Paths for Health report

- There are currently 30 active Walk It Walks in Borders Towns.
- 2 Walk Leader Training days have been held – one in Melrose and one in Eyemouth, a Dementia Friendly Walk Leader training course was also run in

Melrose. A Strength and Balance session will be held on the 23rd November in Melrose.

- A Walk Leader training day is set for 1st November 2018 in Melrose Corn Exchange.
- The project has been awarded funding for a GP Referral programme and will work closely with many NHS services and supporting services.
- The project is working closely with NHS Borders to design, develop and deliver a project to engage adults with learning disabilities.
- There are 13 Walk It walks that are officially 'Dementia Friendly' and it is hoped to extend this to all walks over 2019
- The Walk Annual Conference for Volunteers was held in September with 3 good speakers and Map Reading and Navigation sessions led by the Ranger Service which was greatly appreciated.

WD asked that thanks from the Forum be passed on to Denise for all her hard work.

Walking update

- EN reported that she had just attended a St Cuthbert's Way liaison meeting with agencies from Northumberland who were keen to develop more cross Border liaison and promotion through social media.
- Mention was made of the Scottish Pilgrims Forum who are keen to develop more Pilgrim routes and there is a proposal to create a Kentigern Way from the Solway to Glasgow utilising existing trails such as the Southern Upland Way and John Buchan Way.
- GJ had recently attended a meeting regarding the Heritage Lottery Fund bid to renovate the Union Bridge at Paxton, where there are plans to promote access routes in the area of the bridge. The Community Council is working with the Countryside Access Team and the Criminal Justice team to construct boardwalks on the section of path from the Chain Bridge towards Paxton House.

Cycling update

GJ updated members regarding cycling/ multi-use access.

- The final section of the Innerleithen to Walkerburn route was recently completed, but there are still some signage issues to address.
- Funding for the first phase of the Earlston to Leaderfoot shared access route had been secured and works completed. Discussions are currently ongoing with landowners regarding the next section of the route which would potentially utilise a section of the old A68 road network and works are being costed in a bid to secure further funding.
- Hawick Flood Protection Scheme – SBC has been successful in securing funding from Sustrans to design a shared access route up to 4 metres wide all the way through Hawick along the riverside (update – this proposal will hopefully include a proposed 4m wide path beneath North Bridge and Mart Street Bridge).

- Clovenfords to Walkerburn shared access route. A detailed study of the route will be funded by Sustrans. From initial discussions we are aware that some of the landowners are not particularly keen on the proposed route that follows the disused railway, but further discussions with landowners still to take place. The proposed route would require a new bridge across the Tweed.
- Kelso to Sprouston shared access route. It is hoped that an element of construction work will be undertaken this financial year on the disused railway.
- Peebles to Eddleston shared access route. This potential project is still in the planning system as there are some elements of the design that are still to be finalised.
- Lauder to Oxton shared access route. Discussions with landowners currently underway. There is a gas mains running down the track which may cause issues.

Unauthorised Mountain Bike Trails Guide

This had been circulated to Forum members for information. It has been produced by the National Access Forum due to a large increase in the number of unauthorised trails being made. It provides guidance to landowners and trail builders and details some case studies, some of which are in the Scottish Borders.

RP reported that there a few issues regarding trail building at Bowhill, but nothing major, their main concern would be if trails are being made in areas where there are promoted routes and potential conflict amongst users.

Concern was expressed about the amount of damage caused by trail building at Thornielee where there is potential conflict between user groups.

Equestrian update

- BM wished to thank Susan Gray for the improvement works undertaken on Dere Street at Cappuck which has made it suitable for riders to use again.
- Improvement works have been undertaken on a drove road at Peebles and BM asked if some signage could be installed to advise riders to use this route to avoid Peebles High Street.
- BM asked if there were any Cross Border Drove Road disks available – **KR** will see if the access team have any in store, otherwise Vyv Wood-Gee or SUP may have some.
- BM asked if anything was being done to improve access for horses on St Cuthbert's Way from Crailing to Cessford. EN is working with landowners to replace gates etc on the Maxton to Harestanes section.
- It is still not clear how a website for horse riding will be developed (similar to those for walking and cycling in the Scottish Borders).
- **KR** to invite Gowan Miller to the next meeting to update progress on the Ride Scotland's Horse Country project.

- BM was liaising with Forest Enterprise regarding a padlocked gate in Craik Forest.

Access issues updates

- **Cavers**
At the last forum it was reported that the landowner's solicitors had contacted the Council who had replied asking if SBC could install gates next to the cattle grids. SBC were awaiting a response at that time. However, despite a number of attempts to solicit a response by our legal team, we have had no further correspondence. GJ and KR are meeting with Councillor Ramage and a member of Hawick Community Council tomorrow to discuss other possible options.
- **Bairnkine**
This issue was brought to the last meeting of the Forum which recommended that SBC should write to the landowner insisting that the padlock be removed and suggest that a self-closing gate be installed to allow public access and that the riding stables and landowner should cooperate to find a financial solution to installing a new gate. The landowner has been written to twice by SBC with an offer to provide a self-closing gate, but we have had no response from the landowner. The local MSP has continued to put pressure on the Council to resolve this issue. The Council feels it is now at a point where the landowner should be served a written notice requiring the lock to be removed – further legal advice will need to be taken. Concern was expressed that there is a safety concern regarding the potential for cattle getting on to the public road if the gate is left open.
- **Cauldshiels Loch**
The Path Wardens have recently cleared some fallen trees which were blocking the path. The water levels have remained high for much of the summer but have dropped a bit in recent weeks. KR had had a look at the outflow to try and ascertain what the issues were and had identified that very little water was flowing down the outlet pipe. This information was passed to the landowner who lives in Ireland and who has agreed to meet the Access Team on site sometime in November to try and resolve the situation.
- **St Mary's Loch**
Ettrick and Yarrow Community Council employed a part time warden to patrol the site at weekends over the summer, in a bid to discourage anti-social behaviour which has had some success, but due to a lack of any powers could not resolve every issue.

Review of Forum Membership

A list of current members was circulated and it was noted that there was no one currently representing water access issues on the Forum. TB offered to make contact with someone from the Borders Canoe Club to determine if there was anyone interested in being a member of the Access Forum.

BM will ask Ann Fraser if she wants to continue to receive the minutes.

Rory Powell will be replaced by Michael Paton representing the Buccleuch Heritage Trust.

LAF discussions and Freedom of Information Act / Environmental Information Regulations

BM outlined concerns regarding a situation in the West Dunbartonshire where a landowner had taken issue with the advice given to the local Authority by members of the Local Access Forum and as a result were being investigated by the Police. The minutes of the Borders Access Forum are made public and published on the Council's website, any advice given by members is regarded as purely advisory and it is up to the Council to make any final decision.

Forestry Commission Grants Guide for Woodland Creation

BM expressed concern that the guide provides very little guidance to applicants regarding public access and more should be done to give practical guidance on providing public access such as that given in the Paths for All Outdoor Access Design Guide.

DL circulated information on a new publication: The Scotways Guide to The Law of Access to Land in Scotland, which is now available to purchase.

Date of next meeting

Tuesday 23rd April 2019 at 2pm in Committee Room 4, Council HQ