



WEST LOTHIAN ACCESS FORUM

“An independent statutory body set up to advise West Lothian Council on access issues under The Land Reform (Scotland) Act 2003 and on Rights of Way”

MINUTES OF MEETING OF WEST LOTHIAN ACCESS FORUM 25th March 2015, 4.00pm at Sutherland Building Beecraigs Country Park

Present:	Alastair Morrison	Scotways
	Jamie Smart	NFUS (Arable)
	Andy Gibbs	Ordinary member
	Malcom Hill	NFUS (Livestock)
	Donald Noble	Scottish Land & Estates
	Carol Campbell	Central Scotland Green Network Trust (Notes)
In attendance:	Chris Alcorn	West Lothian Council (Chair)
	Tracey Smith	West Lothian Council
	Katie McDonald	West Lothian Council
Apologies:	Richard Toleman	Sustrans
	Craig McCorriston	West Lothian Council
	Deborah Paton	West Lothian Council
	Debbie Esslemont	British Horse Society
	Annie Taylor / Helena Mauchlen	BHS
	Neil Evans	SRUC (Oatridge)
	Gordon Allan	Ecclesmachan & Threemiletown Community Council

Item	Issue	Action
2&3	Minutes of last meeting (29th October 2014) & Matters Arising	
3.1	Chair - CA agreed to chair this meeting. On issue of election of a new Chair, he confirmed WLC Planning would be able to cover the cost of advert for a new Chair. Volunteer needed to draft.	ALL
4.	Livestock Worrying Initiative (Tracey Smith)	
	No formal response from NFUS. TS tabled posters produced in south. JS mentioned that SNH running “Jess the Dog” Campaign. Also doing dog fouling survey – 6 farms to be picked.	
	Court case in Pentland Hills - 70 sheep killed, £20,000 costs. Dog owner (with 3 dogs) only fined £400. MH also mentioned upcoming court case in April 2015 relating to when he was attacked and also livestock in sheds (3 dogs) near Glen Mavis Estate, Bathgate. Charge under Dangerous Dogs Act Dog owners have now disappeared.	
	JS mentioned that NFUS asked for details of dog attacks as Freedom of Information Request from Police – 576 cases reported of dog worrying in last 5 years. AG mentioned that his firearms certificate did include dog shooting but this is not usual.	
	KMcD mentioned that dogs attacking sheep were normally picked up by RSPCAS and not Council .WLC Environmental Health cannot take on any more cases than remit due to only 2 officers and their workload. Now a grey area between Dangerous Dogs Act and other legislation. MH stated that there is a	

	<p>procedure to go through but not always able to this, or police not always aware of correct procedure. KMCD stated that WLC have been trying to draw up a written agreement of what each should do. Liaison arrangements are already in place at high level – WLC, Police, NFUS. DN mentioned that wildlife crime seems to have been successfully addressed with “PAWS” Programme. NFUS has suggested training officers at Tulliallen but more pressing issues for Police.</p> <p>MH mentioned poisoning case where WLC Call Centre wouldn’t take responsibility for call. Police dealt with issue but confirmed it was WLC’s responsibility. Letters were then sent out by WLC NET’s to neighbouring estate informing about situation. Needs to be a procedure to be in place at Call Centre level in order for correct action to be taken i.e. civil or criminal issue. TS related that after initial Sheep Worriing Initiative meeting in January 2014, sheet information was passed to the Call Centre and the Police know what to do.</p> <p>KMCD stated that education was priority rather than dealing with issues after an incident. DN queried what, if anything, was being done this year. CA outlined what was happening in Pentland Hills. Police Scotland were involved and signs were erected at known sensitive areas. Posters were distributed to all vets in Edinburgh, Midlothian and West Lothian. CA stated that there was a need to check on Minute from previous Initiative meeting to ensure all actions covered.</p> <p>DN mentioned that dogs were not just a sheep worrying issue but also for ground nesting birds etc. JS requested copy of WLC poster and these would be sent out to NFUS members. MH mentioned that he had received SNH posters from Cheryl Duncan in past. DN also requested copy for Scottish Land and Estates members.</p> <p>JS referenced YouTube video which mentioned dog leads made by a dog walker but WLC can’t promote as couldn’t be seen to support her above others. MH mentioned Keep Scotland Beautiful campaign & survey about dog fouling. Legally dog fouling only applies in a public place, so not woods or fields. However, disease can be carried by dogs, which causes abortions in cattle. Farmers have to do Health Plans. These are being used to stop access for equestrians! If people don’t comply with HP’s then are they taking irresponsible access? JS mentioned that NFUS has asked SNH for A5 poster to pass to owners about chipping. JS has also suggested that being a responsible dog owner could go into school curriculum.</p>	<p>KMcD</p> <p>TS</p>
5.	WLC Commercial Dog Walking Registration Scheme (Katie McDonald)	
	<p>KMcD referred to East Lothian Council scheme from 2012 which encouraged responsible dog walking. No legislation to licence. From research in late 2014, there are 50 dog walkers services advertising in WL. 700 dog attacks in WL last year (150 related to dog owners who couldn’t be identified). No figures available to say if any were with dog walkers.</p> <p>Hopeful that WLC scheme will educate dog walkers and dog owners. Proposed scheme limits walkers to 6 dogs, requires insurance and relevant transport. Also covers start up practice, first aid kit, register & log book of all dogs walked, tagging, control of dogs (not necessarily on a lead) cleaning up and show a level of environmental awareness (wildlife & livestock). For a fee, of c £20, walkers will get ID badges, vehicle stickers, listed on WLC website and membership number.</p> <p>ELC has produced a map of walks with basic info – location of dog bins, presence of wildlife, breeding season for lambs or birds. WLC is hoping to produce similar for WLC sites. JS suggested that WL access forum supports scheme in writing. AM mentioned that by concentrating walkers in one area it may cause concentrated problems on site and good locations that frequented by commercial dog walkers shared with Ramblers & walkers Associations.</p>	

	(DN left the meeting)	
	AM suggested that when map is produced, the Rambles are notified so that walkers know which sites are potentially frequented most by dog walkers. JS queried if ID on request by public was condition of accreditation. KMCD confirmed yes. CA queried next steps for scheme. Currently with Craig Smith of WLC Environmental Health. There may be a consultation period after report to committee.	KMcD
	Support for the scheme was requested in writing from the NFUS as helpful if senior officers shown that there is interest and viewed as a benefit as current view was that a commercial dog walking scheme was not a major issue compared to other animal welfare issues though officers could see the merit.	JS/MH
	Feedback on scheme from LAF members was requested to go to KMCD.	All
6.	Bathgate Hills Quiet Road Initiative (QRI)	
	<p>CA updated LAF on initiative. Data collection in Bathgate Hills and surrounding routes to understand the pattern of traffic has been commissioned but delayed until after Easter for neural data collection period that relates to technical guidance but also road surfacing and closures near The Knock will negatively impact on data gathered. Will include traffic volumes, average speeds and counts non-motorised use using camera surveys.</p> <p>Data collection is first step in investigating cycle friendly routes as levels of traffic and speed are key criteria in determining route suitability. Next step is identifying potential routes and consulting with stakeholders who may be impacted upon. No land-take anticipated as focus is on existing routes and more about new signage. Mapping of Bathgate 'Alps' by WL Clarion Club is on Visit WL website.</p> <p>WLC has submitted Community Links application to Sustrans for scoping similar QRI studies around West Calder & Harburn and Easton Road between Armadale & Bathgate but are looking for other suggestions for potential Quiet Roads. Active Travel workshops invitations have been sent out. Active travel survey returns sought. 84 responses have been received to date and survey ends at end of April.</p>	
	CA to send out link for workshops.	CA
	JS queried what actions are likely – CA suggested signage and lineage. CA mentioned his visit to Clackmannanshire with Transport Policy Officer which had several successful QRI schemes. JS mentioned previous support for road quietening scheme, despite potential business or homeowner 'disruption' to those in Bathgate Hills. e.g. gates at strategic points. CA confirmed that this won't be pursued in this scheme. MH raised potential problem of irresponsible parking for cyclists visiting area e.g. at field entrances creating "honey pots". MH suggested 40mph signs. CA stated that there could be funding for signage in next year's project budget. JS suggested speaking to Police Scotland as unless they enforce it will not work and CA also mentioned Fire & Ambulance services.	
7.	Verbal Report from Council Officer (Chris Alcorn)	
7.1	Access Officer Post – MH has approached leaders of political parties in WLC and asked why nothing being done regarding appointment of Access Officer. Councillors said they would look into it. John McGinty to speak to CEO. Craig McCorrison has responded by saying that Council looking into better delivery of access issues. NETs manager Andy Johnston was looking into post and 'where' it should be hosted. Funding still available for ½ post, but Council has to save £33M pa for next 3 years with a further £3.4M Revenue savings.	
7.2	Council has re-advertised for graduate post which will look at signage at start / end points of WL rights of way and survey.	
7.3	CA referred to WLC / Sustrans programme and following updates: <ul style="list-style-type: none"> Whitburn to Armadale off-road cycle path: been designed and in 	

	<p>discussion with 2 landowners.</p> <ul style="list-style-type: none"> • Linlithgow links to Union Canal: Kettlistoun – on site in January/ Academy – designed and awaiting start date. • Almondvale Park, Livingston NCR75: route through park – Transportation doing all path works hopefully in summer. Designed, but looking at street lighting. • Starlaw to Boghall link: on site. Delayed due to M8 barrier and additional works across bridge. • Polbeth – West Calder CP upgrade: E/W link under construction, but not N/S link due to location access road to new high school. • Linlithgow: canal to Golf Course Road link: Design underway, but landownership issue. 	
7.4	<p>John Muir Way (JMW) CA relayed that a Celebration week (1 year on from opening) being planned with Visit West Lothian and Linlithgow Town Centre Management Group.</p> <p>SNH had commissioned a survey by market research company, TNS with 500 JMW users interviewed at different locations along the way over 12 months. Field work started in November 2014 and will finish in October 2015 and report due early 2016. Total number of users will be estimated along with estimated economic spend. At end of summer, survey of sample of business to find out what they've done and impact of JMW on businesses along route.</p>	
7.5	<p>JMW at Mary Dickies' Quarry CSGNT provided estimated costs for off-road diversion including bank-works ~ £140k. Meeting to be arranged with new Road Safety Engineer & CSGNT to discuss. JS as landowner was still happy to discuss proposals. JS reported that there has been good cyclist use of Fishers Brae, some with panniers (possibly indicating whole route travellers).</p>	CA
7.6	<p>Access issues in last 6 months(November 2014 – March 2015)</p> <p>NCN75: under A801 – Issue of mud on track and complaints by Sustrans and others. Discussions have taken place between Network Rail, WLC & Landowners agent. Network Rails solicitors had said farmer had sold land and no access for livestock. Snagging with Network Rail still under discussion with WLC Transportation.</p> <p>SNH / Sustrans Phase 2 Environmental Works: on greening the green way - underway via CSGNT with volunteers.</p>	
7.7	<p>Mr Orr, Blackridge – Proposal for 200-300 houses in Blackridge. Agreement could be reached around re-fencing of new path connection from south into station south platform. Negotiations till progressing</p>	
7.8	<p>Armadale – Station Road bridge over rail line had seen a request for footway – with Transportation. Cappers Road had seen a fence erected across old-stopped up road related to CDA changes.</p> <p>Community Council successful application to Lottery for “Armadale Round Town Walk” to be resigned & install interpretation plaques as “Davie Kerr Walk”</p>	
7.9	<p>Torphichen Community Council is seeking route to Linlithgow. Meeting has been arranged by WLC to discuss. Also looking at connection to River Avon Heritage Trail using some of their Village Improvement Funds.</p>	
7.10	<p>West Calder & Harburn CDT has been investigating connections to West Calder from surrounding villages e.g.; off-road route to Harburn as well as LW44 West Muir reinstatement. CSGNT were unable to take on this large scoping project. WCCDT to approach consultants.</p>	
7.11	<p>Ecclesmachan - Blockage Claimed right of way at Binny Plants. Been previously investigated. Gated but not locked.</p>	
7.12	<p>East Calder – Community Council had raised north route to Camps Viaduct and wanted to upgrade using their Village Improvement Fund. NETs had strimmed and cut back hedge</p>	

7.13	Broxburn – query on horse access but a scheduled monument and suggested use Broxburn Community Woodland instead.	
7.14	Longridge Community Council – paths upgrade request at nearby Easter Longridge lowland crofting site as well as SE Longridge LC site using their Village Improvement Fund. CSGNT in discussion with EL owner Lowland Crofting Review – the 13 sites were been surveyed by SNH / CSGNT / L&FGNP Report recommendations due end June. Opportunity for FCS WIAT applications were £1M available pa over next 6 years albeit, across Scotland on a first come first served basis; e.g. Blackridge - Beechbrae scheme had already carried out some path improvement works.	
7.15	Pentland Hills – new route through “Hilly Cow Wigwams”, SW Kirknewton completed by Friends of Pentlands installed way-markers boardwalks and kissing gates at Leyden Farm. WLC gave £320 grant to FoP, along with 5 other adjacent local authorities to allow them to reprint 10,000 copies of their Pentlands access brochure. CSGNT to update previous outline costs for Cauldstane Slap improvements and possible approach to Heritage Lottery grant	
7.16	Kirknewton to Selm Muir –Further discussions between Kirknewton Community Development Trust and Kirknewton Estate and adjacent landowner on route from village to Selm Muir that CSGNT had scoped / costed.	
7.17	Scottish Government has approached WLC regarding costs to extend Pentland Hills Regional Park. JS mentioned that NFUS is against park extension until funding is guaranteed. Same response from other Councils. South Lanarkshire Council not even responding to consultation.	
7.18	Polbeth Community Council – raised right of way by 5 Sisters Bings severed by illegal open cast works. Now reinstated but not good enough. Being chased by WLC Enforcement	
7.19	SESTRANS – regional cross boundary survey of the cycling community organised and had identified key schemes to address bottlenecks/ blockages. SESPLAN - Strategic Development Plan Main Issues Report 2 had identified strategic active travel cross boundary routes: A89 completion / A71 super bike highway / Linlithgow to Bo'ness.	
7.20	Union Canal Core Path 2 – continued liaison meeting to consider funds to upgrade towpath	
7.21	Shotts Line electrification - Network Rail undertaking bridge replacement and working at Breich, while Blackmyres Bridge, east of Polbeth, is now to remain	
7.22	Loganlea Bing further drainage works undertaken by CSGNT for WLC after Community Council raised.	
7.23	Westfield – resident ,via MSP, requested off -road path from Westfield to Bridge Hall.	
7.24	Linlithgow – request to Transportation for off road link at south Linlithgow from Dark Entry (east end) to Hiltly.	
8.0	AOCB	
8.1	British Horse Society, Scottish Land & Estates and NFUS are working on horse guidance for responsible riders?	
8.2	JS intimated changes to CAP rules – potential for greening margins which are damaged (which is outwith landowner control e.g. caused by access takers) may not be grant eligible. JS will raise at National Access Forum due in May.	JS
8.3	Date of next meeting time – Wednesday 28th October @ Sutherland Building NB: time changed to 3.00pm (not 4pm)	All to note