

West Lothian Local Access Forum

1st Meeting

Tuesday 2nd May 2023

2.00pm to 4.00pm

Sutherland Building, Beecraigs Country Park

Decision Record

	Agenda Item	Summary of Item / Decision Taken	Action to be Taken	By Whom
1	Welcome and apologies	<p>The Meeting commenced at 14:15.</p> <p>Welcome and thank you for joining as Full Members and Corresponding Members of West Lothian's Local Access Forum (WL LAF).</p> <p>IN ATTENDANCE: Gordon Allan - FULL Nick Drainey - FULL Michael Eagers - FULL Sandy Edgars - FULL Malcolm Hill - FULL Pippa Plevin - FULL Sammy Saunders - FULL Jo Young - FULL Clr Alison Adamson - FULL Clr Tom Conn - FULL</p> <p>Tim Beesley - CORRESP Hannah Patterson - CORRESP Dean Swift - CORRESP</p> <p>West Lothian Council: Tony Mason – Access Ranger Bev Stirling - Ranger Services Manager Tracey Smith - Ranger</p> <p>APOLOGIES RECEIVED: Jamie Smart - FULL Richard Toleman - CORRESP Louise Maddison – CORRESP</p>	NONE	
2	Introductions		<p>All Full Members to provide a short bio for the LAF pages of the WLC website.</p> <p>Template can be provided if required.</p>	<p>All Full Members</p> <p>TM</p>
3	Election of Chair and Vice Chair	<p>The only name put forward prior to this meeting as Chair was Jamie Smart but he was not in attendance today and had sent his apologies due to illness.</p>	<p>Agreed that as Jamie Smart was absent and unable to speak to his nomination, that a TEAMS meeting of the Forum would be convened in the next few weeks to decide on a Chair and Vice-Chair for the LAF and to determine whether the appointment would be for a full year or for the next meeting only.</p> <p>The duties of the Chair (and Vice-Chair) were discussed</p>	TM

			with due reference to the LAF guidance issued to all Members and the Full Members asked to consider if they wish to put their names forward.	All Full Members
5	Data Protection & Privacy Notices	In light of the requirements of GDPR, an explanation was given of the extent of private data which would be shared between members of the Forum and accessible to the public at large and also the role of WLC in providing administrative services to the LAF.	Agreed that Privacy Notices and Data Sharing Agreement with WLC to be issued by the LAF. WLC to aid in drafting these. Details and bios of the Members of the Forum to be added to the WLC LAF webpage (once available) as well as the use of a centralised LAF email address. No personal email addresses or phone numbers to be published on the LAF webpage. TM to set-up generic LAF email and share.	TM TM
6	Member Packs	Member packs containing relevant guidance were issued to all Full Members: 1. Forum Members: Contact Details 2. Terms of Reference 3. Standing Orders 4. Code of Conduct 5. Fit & Proper Person 6. Land Reform (Scotland) Act 2003 Part 1 7. Land Reform (Scotland) Act 2003 Schedule 1 8. Land Reform (Scotland) Act 2003 Guidance 9. Local Access Forums: A Guide to Good Practice (2nd Edition) 10. Scottish Outdoor Access Code	NONE	
7	Summary of Governance of LAF: <ul style="list-style-type: none"> • Terms of Reference • Standing Orders • Code of Conduct • Fit & Proper Person 	A summary of the new LAF Governance was provided.	NONE	
8	Training: <ul style="list-style-type: none"> • Land Reform Scotland Act 2023 and the Role of the Local Access Forum 	There followed a presentation of the role of the LAF (and compared it to the role of the National Access Forum) and where the LAF could best focus its attention including: <ul style="list-style-type: none"> • Providing advice to Parks & Woodland, WLC on complex access disputes. • Receiving relevant reports on access related issues from WLC and third parties including Police Scotland. • Making representations to WLC in relation to its strategies/policies as they come up for review e.g. Local Development Plan, Open Space Plan. • Making representations on new planning applications. • Contributing to Surveys and Consultations especially by Scottish Ministers/Nature Scot/WLC/National Access Forum (NAF) • Assisting with the Core Path Plan review including carrying out their own research and preparing reports and making recommendations. There followed a discussion on: <ul style="list-style-type: none"> • the gaps in the Core Path network including around the Bathgate Hills and Torphichen and the impact on tourism. 	Further training is to be provided at subsequent LAF meetings with highlights likely to include: <ul style="list-style-type: none"> • Visit to the Oatridge Paths Demonstration Site. • A case law review. • Case studies highlighting relevant other LAF involvement. • Site visits. • Part 1 of the 2003 Act. • A discussion of the LAF Guidance issued by SNH. • Potential mediation course. • Nature Scotland teaching resources. • Online seminars including upcoming Paths For All talks. Members to forward their suggestions for future training direct to TM. Links to relevant online material and events would be sent to Full Members from time to time including the sharing of minutes from NAF and NAF/LAF meetings. The Forum to decide on the use of working subgroups	TM Forum TM Forum

		<ul style="list-style-type: none"> the importance of connectivity across the Core Path network. enabling and enhancing Disabled Access and the topographical and financial constraints that present difficulties in achieving this. the approach taken in the WLC Open Space Plan which for example categorised burial grounds as Open Space. the work carried out to date by WLC to log Aspirational Paths. Scottish Outdoor Access Network (SOAN). 	and also its work focus generally.	
9	<p>Access Issues Report</p> <ul style="list-style-type: none"> current & future access works agreed 2022 report 	<p>TS provided a summary of the current & future access works across WLC as noted in the attached Report.</p> <p>TM presented a report on the significant 2022 access issues. There had been 56 issues logged in 2022 (this compared to 121 in 2021 and 30 to date in 2023). Over 50% in 2002 related to 'obstructions/ hazards' which included unauthorised gates and fences as well as fly tipping, rampant undergrowth and defective infrastructure.</p> <p>Only 2 issues were categorised as 'irresponsible access' – one of which required police involvement.</p> <p>There was a reassuring increase in the number of 'Information Requests' which suggests that the public were more aware of the need to exercise access rights responsibly.</p> <p>Trail bikes continued to be a recurrent problem. New guidance was expected this year, expected to recommend a change of emphasis from a reactive to a proactive approach. The guidance will be circulated once available.</p>	Further update reports to follow at subsequent Forum meetings	<p>Ranger Service</p> <p>TM</p>
10	<p>Current Access Issue, Example:</p> <ul style="list-style-type: none"> John Muir Way: B8029 Fishers Brae to Mill Road IE 	<p>Jamie Smart had asked that the Forum consider the section of the John Muir Way between Fishers Brae and Mill Road Industrial Estate. This section is on-road with a narrow overgrown verge with clear dangers to walkers on a Shared Use Space.</p> <p>TM followed up on this enquiry in the terms detailed in the attached report. In summary, access to the AIP Programme was currently not an option without data supporting the perception of danger. The Shared Use Road would not qualify for consideration as a Quiet Road. There were no funds to create a separate footpath – this had been an option considered in 2023 and rejected.</p> <p>One success, however, was that the verge would be cut back to enable walkers to have sufficient space to walk along the verge or to step off the</p>	Report noted and agreed while no accidents involving walkers had been recorded there was a perception of danger and Forum agreed to consider exploring collecting data in partnerships with other organisations to establish a case for mitigations and resources to be allocated to improving this section of the John Muir Way.	Forum

		<p>road when required and this should be done in the next few weeks.</p> <p>ND agreed this was an inherently dangerous section of the John Muir Way and that Linlithgow was missing out on a potential tourism boost and wanted to explore options to use Tourism funds to improve or re-route the John Muir Way through Linlithgow.</p> <p>MH also thought there were other heavily used shared roads including Torphichen to Witchcraig and asked that the Forum should also investigate options on other similar shared spaces as Shared Access on fast rural roads is clearly a deterrent to access.</p>		
11	Any Other Business	NONE		
12	Date and frequency of next meeting(s) to be decided	There was a discussion of the frequency and type of LAF meeting and the use of TEAMS as well as the use of working groups.	Next quarterly meeting to be on 6 June 2023 @ 2pm by TEAMS. Invitations to be sent out to all Full Members	TM
13	Close	The Meeting closed at 16:20		

Access Issues Report

CURRENT & FUTURE ACCESS WORKS AGREED:

During Lockdown the Ranger Service created a scoring system for paths so we could prioritise paths for future maintenance.

The scoring looked at:

Quality – condition, obstructions, drainage, connectivity, current designations

Community Buy in – level of use, likelihood of increased use, desire from Community (comments/ enquiries/ complaints), receptiveness of land owner

Cost/Time/Resources – in-house or contractor, funding availability

Between 2021 and April 2023 the Ranger Service oversaw the upgrade or creation of paths using the Rural Path capital budget:

- **Core Path WL19** which links Stoneyburn to East Whitburn – partly funded by Town Centre Improvement Fund, Paths for All and Woodland Trust.
- **Core Path WL42** - Broxburn Community Woodlands – Developer contribution via Open Space.
- **WL21A & WL21B** and all paths in Blackmoss Nature Park - partly funded by Town Centre Improvement Fund
- **WL13** – Linhouse Loop.
- Within **Beeccraigs Country Park** – both paths to Cockleroy, Lochside path and Orange waymarked route.
- **Witchcraig** – link to Beeccraigs, Korean War Memorial and Cairnpapple.

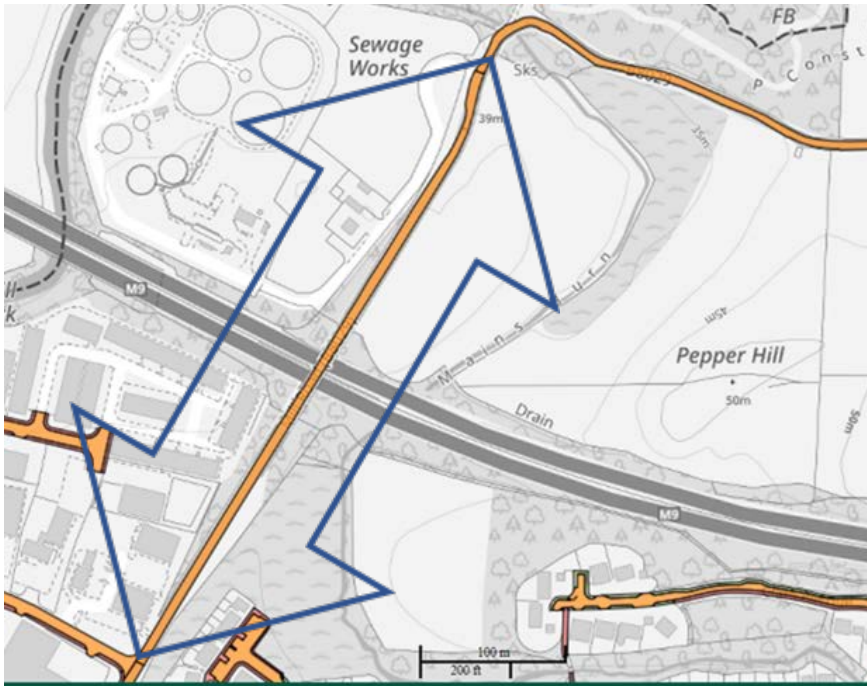
In 2023 the Ranger Service will oversee upgrade or create paths in the following sites,

- **Broxburn Community Woodland**
- **Core Path WL36** Dechmont Law
- Paths within **Polkemmet Country Park**
- **Eliburn Park** including **Core Path WL28**
- **Calderwood and Oakbank link**

The Rangers are also carrying out audits to rescore and prioritise for future access works.

Current Access Issue, Example:

B8029 -- Fishers Brae to Mill Road Industrial Estate – deterrent to access



The AIP (Accident, Investigation and Prevention) Team were approached to consider whether mitigations could be considered given that the danger to Shared Road Users was a clear deterrent to access.

The B8029 is a rural 'B' class road and is currently subject to a national speed limit. The setting of speed limits by local authorities is based on the ETLCD Circular 1/2006 produced by the Scottish Government. The speed limit review on this road was undertaken in consultation with Police Scotland and it was found that the speed limit on this road was appropriate at the time and there were no evidential based factors to support a review.

While a Speed Limit Review is not specifically a casualty reduction exercise, the potential to positively influence accident statistics is a factor in the overall decision of setting speed limits on rural roads. Conversely, an increase in the numbers of cyclists, pedestrians or other vulnerable road users in the Shared Space is not itself a justification for a speed limit review and any review is data driven. The B8029 has had 3 logged accidents (none involving walkers) which puts the road down in 13th on the list of rural roads in West Lothian with the top 10 qualifying for the AIP programme.

Perception of danger is apparent on virtually every road in West Lothian and the AIP programme will take into consideration public and community concerns at any location where there is a perception that the location is unsafe. Funding in locations where there is a perception that a location is considered unsafe is however not available when there is no data or evidence to confirm this is the case.

If the Forum seeks to have the road included in the AIP programme they would need to pull together data on the public's perception of risk – e.g. surveys, evidence driven reports, etc. which could be done in partnership with others – John Muir Way / Sustrans / Ramblers?

Another possible approach is to pull together a case for Cycling, Walking, Safer Routes funding coordinated with Sustrans and others.

Co-ordinated action with other user groups rather than act in isolation is likely to be more successful and may leverage funding.

It is unlikely this road could be considered as a candidate as a Quiet Road under the Council's Active Travel Plan as the criteria for this include:

- narrow, unlined rural roads, on average no more than 4m wide
- daily traffic volumes of less than 800 vehicles
- speed limits to be implemented in line with existing speeds, that is, 85th percentile measurements or where perceived speeds are already below 30mph or 40mph
- routes already used by pedestrians, cyclists and equestrians

The verge maintenance team has meantime been requested to look at this site and as at the date of this meeting an inspection is being carried out with the verge team to timetable works for later this month.

The issue is also to be added to a Report listing traffic management issues in Linlithgow which is currently being put together for local members. Elected members in Linlithgow should see that report later in the year.

