ABSTRACT: This report summarises the results of consultation on the Angus Countryside Access Strategy and includes the Finalised Draft for Committee approval.

1 RECOMMENDATION

It is recommended that the Committee:-

1. notes the outcome of consultations in relation to the Angus Countryside Access Strategy; and
2. approves the Finalised Draft for consultation with the Angus Local Access Forum in due course.

2 INTRODUCTION

2.1 The Planning & Transport Policy Committee of 6 March 2003 agreed to consultation being carried out in relation to the Angus Countryside Access Strategy (Report No. 294/03 refers). This report indicates the responses received to the consultation exercise, suggests various changes to the Draft Strategy and outlines proposed next steps.

3 RESPONSE TO CONSULTATION

3.1 A total of 51 copies of the Consultation Draft were sent out to a broad range of organisations. These included Governmental organisations, all Community Councils within Angus; landowners representative organisations as well as organisations representing user groups.

3.2 In addition copies were placed in all libraries and ACCESS offices and were advertised through the local press.

3.3 Appendix A lists the representations received together with a summary of the main points raised. A response to points raised is also included. A total of 14 representations were received. These included:-

- Three Governmental Organisations;
- Four Community Councils;
- Two Land Management Representative Organisations;
- Four Recreational User Representative Organisations;
- One Individual

Whilst the response to consultation has been limited in number, there is within the respondents, a good cross-section of interests.

4 FINALISED DRAFT
4.1 The results of consultation have been taken into account in the production of the Finalised Draft attached as Appendix B. Whilst a number of minor alterations have been made following consultations, the more significant changes are as follows:-

- Proposals 4, 5 and 8 plus supporting text have been added to more fully take account of the powers and duties that will fall to Angus Council under the Land Reform (Scotland) Act 2003.
- The last sentence of paragraph 2.2.4 has been added to clarify the respective roles of Angus Council and the Cairngorms National Park Authority.

4.2 In addition, both Scottish Natural Heritage and the Paths for All Partnership are keen that the Strategy be discussed at an Angus Local Access Forum, prior to the Strategy being adopted. This approach seems a worthwhile exercise particularly given the limited response to consultation. It is therefore proposed that the Strategy be approved by Council as a Finalised Draft at this stage.

4.3 The Infrastructure Services Committee of 12 June 2003 agreed to the setting up of an Angus Local Access Forum (Report 656/03 refers). This was based upon an indication that the Land Reform (Scotland) Act 2003 would come into effect in early 2004. It now appears that the Act will not now come into effect until the end of 2004. As a result of this the ministerial guidance to Local Authorities in relation to the Act has not yet been issued. It has been indicated that guidance to Local Authorities will be issued “early 2004”. The Angus Local Access Forum will be established as soon as practicable after the guidance is received and having regard to the content of the guidance.

5 FINANCIAL IMPLICATIONS

5.1 The implementation of the proposals contained within this Strategy will have significant financial and staff resource implications. This Strategy does not in itself identify or secure such resources, the availability of which will ultimately dictate whether proposals are implemented.

5.2 The implementation of proposals that have financial implications beyond those currently approved will therefore be the subject of further reports to Committee.

6 HUMAN RIGHTS IMPLICATIONS

6.1 There are no human rights implications arising from this report.
7 CONSULTATION

7.1 The Chief Executive and the Directors of Law & Administration, Finance, Roads and Leisure Services have been consulted in the preparation of this report.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/SJR/KW
24 February 2004

Alex Anderson
Director of Planning and Transport
**APPENDIX A**

**ANALYSIS OF REPRESENTATIONS ON THE CONSULTATION DRAFT OF ANGUS COUNTRYSIDE ACCESS STRATEGY**

<table>
<thead>
<tr>
<th>Governmental Organisations</th>
<th>Summary of Representation</th>
<th>Council Response</th>
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<tbody>
<tr>
<td>Cairngorms National Park Authority</td>
<td>Advised that under Land Reform (Scotland) Act 2003 the park Authority is the Access Authority. Therefore it will be the Park Authority not Angus Council who will be responsible for discharging powers and duties which fall to Local Authorities with that part of Angus which is within the National Park. Other comments were of a minor nature.</td>
<td>Strategy amended to ensure clarity of distinction between Angus Council and Cairngorms National Park Authority functions. Noted.</td>
</tr>
<tr>
<td>Scottish Natural Heritage</td>
<td>Suggested that the scope of the strategy should be broadened to include open space within urban areas to encourage appropriate linkages to be made. Such a strategy is known as an Outdoor Access Strategy. There is also a suggestion that proposals may be themed as a useful mechanism for their development.</td>
<td>The task of carrying out an audit of open spaces within settlements is currently being undertaken by Leisure Services. This will ultimately lead to an Open Space Strategy which will compliment the Countryside Access Strategy. Internal communication should ensure appropriate linkages. The use of themes has been used by some other Local Authorities as a means to attract external funding. This technique is not considered necessary within Angus.</td>
</tr>
<tr>
<td>The Paths for All Partnership</td>
<td>Suggested that the scope of the strategy should be broadened to include open space within urban areas to encourage appropriate linkages to be made. Such a strategy is known as an Outdoor Access Strategy. There is also a suggestion that proposals may be themed as a useful mechanism for their development (e.g. health, economy, community, sustainability and environment). Further suggested that a strategy will be strengthened if developed through a Local Access Forum. Also more detailed comments.</td>
<td>The task of carrying out an audit of open spaces within settlements is currently being undertaken by Leisure Services. This will ultimately lead to an Open Space Strategy which will compliment the Countryside Access Strategy. Internal communication should ensure appropriate linkages. The use of themes has been used by some other Local Authorities as a means to attract external funding. This technique is not considered necessary within Angus. Accepted. Finalised Draft to be discussed at Angus Local Access Forum. Taken into account where appropriate.</td>
</tr>
<tr>
<td>Community Councils</td>
<td>Summary of Representation</td>
<td>Council Response</td>
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<tr>
<td>Hillside, Dun, Logie Pert &amp; Craigo</td>
<td>Considered that the Strategy was “far too wide-ranging and ambitious at present and proposed such radical changes to the rural scene without taking into consideration the feelings of these who have lived there and looked after it for generations”. Further detailed comment was offered in relation to the principle of the “general right of access” under the Land Reform (Scotland) Act 2003 and difficulties that may arise from increased public access.</td>
<td>Not accepted. The proposal and policies contained within the Strategy are in line with best practice nationally. Further consideration of the Strategy and proposals for implementation will be undertaken via an Angus Local Access Forum. Most of this comment is not directed at the content of the Strategy, but at the right of access under the Land Reform Act. Should be addressed through the promotion of the Scottish Outdoor Access Code.</td>
</tr>
<tr>
<td>Monikie &amp; Newbigging</td>
<td>Referred to a path requiring upgrading locally. Welcomed Local Access Forum and Scottish Outdoor Access Code. Suggested bicycle access should be restricted as nuisance to pedestrians.</td>
<td>Will seek clarification of route and pass to appropriate Department. Noted. May not be in compliance with the Land Reform (Scotland) Act 2003.</td>
</tr>
<tr>
<td>Royal Burgh of Arbroath</td>
<td>“Quite a good Consultation Draft”. Emphasised the need for those taking access to act responsibly.</td>
<td>Noted. Should be addressed through the promotion of the Scottish Outdoor Access Code.</td>
</tr>
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<thead>
<tr>
<th>Land Management Representative Organisations</th>
<th>Summary of Representation</th>
<th>Council Response</th>
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</thead>
<tbody>
<tr>
<td>East Grampian Deer Management Group</td>
<td>Welcomes the Strategy but have concerns regarding proposals in the Angus Glens and the Eastern Cairngorms.</td>
<td>Eastern Cairngorms Access Project developed in full consultation with landowners.</td>
</tr>
<tr>
<td>Land Management Representative Organisations</td>
<td>Summary of Representation</td>
<td>Council Response</td>
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</tr>
<tr>
<td>East Grampian Deer Management Group (cont’d)</td>
<td>Generally keen to be involved in discussions regarding proposals that may affect upland areas. Particularly welcomed the continued use of the Angus Glens Hill Phone. Keen that they are consulted on any interpretation in relation to upland access.</td>
<td>Noted.</td>
</tr>
<tr>
<td>Esk District Salmon Fishery Board</td>
<td>Welcomed proposal for Local Access Forum. Emphasised importance of experience of angling and importance to local economy. Listed potential conflicts with walkers; canoeists and casual visitors. Emphasised that maintenance, litter disposal, warning notices, car parking and toilets should be considered as part of Strategy.</td>
<td>Noted. Should largely be addressed through the promotion of the Scottish Outdoor Access Code. Will be considered when changing path networks. Maintenance of path networks developed will be integral to proposals developed. Toilet provision will not be undertaken. Other matters will be considered on an ad-hoc basis</td>
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<tr>
<th>Recreational User Representative Organisations</th>
<th>Summary of Representation</th>
<th>Council Response</th>
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<tbody>
<tr>
<td>Cycle Touring Club</td>
<td>Welcomed Policy 2 on Access for Bicycles and Horses and proposals 6, 7 and 8 relating to Burgh Path Networks; Paths to Health; and Village Path Networks respectively. A number of other general comments.</td>
<td>Noted.</td>
</tr>
<tr>
<td>The Grampian Club</td>
<td>Keen to be involved in Local Access Forum.</td>
<td>Noted.</td>
</tr>
<tr>
<td>Recreational User Representative Organisations</td>
<td>Summary of Representation</td>
<td>Council Response</td>
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<tr>
<td>Mountaineering Council of Scotland</td>
<td>Considers that existing Country Parks; parking areas; ranger service and existing path networks in place put Angus Council in a better position than the majority of Local Authorities to meet its obligations under the Land Reform (Scotland) Act 2003 and its promotion of the Scottish Outdoor Access Code.</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td>General discussions in support of policies and proposals.</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td>Suggested that two Local Access Forums be established, one for lowland and other for upland.</td>
<td>There is currently insufficient staff resources to service more than one Forum. A significant part of the upland area will be within the Cairngorms National Park. The Park Authority will have responsibility for a Local Access Forum for that area.</td>
</tr>
<tr>
<td></td>
<td>Suggest that designated off-road parking be provided for canoeists.</td>
<td>Will be considered as part of the implementation of Proposal 15 : Access for Canoes.</td>
</tr>
<tr>
<td>Scottish Canoe Association</td>
<td>Welcome the Strategy. “The work undertaken and proposed is impressive”.</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td>In particular proposals in relation to access to rivers and a coastal path are welcomed.</td>
<td>Noted.</td>
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<tr>
<th>Individuals</th>
<th>Summary of Representation</th>
<th>Council Response</th>
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<tbody>
<tr>
<td>Ian McConnell</td>
<td>A number of comments relating to motorised camping.</td>
<td>Noted.</td>
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</tbody>
</table>
ANGUS COUNTRYSIDE ACCESS STRATEGY

FINALISED DRAFT – 4 MARCH 2004

Planning & Transport
St. James House
St. James Road
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4.3 Village Path Networks
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4.5 Scottish Paths Record
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1.0 OVERVIEW

1.1 The Angus countryside, with its mixture of spectacular coastline; fertile straths and the Angus Glens is one of Angus' greatest assets.

1.2 The three key elements of this Strategy are the Angus Coastal Path, the Burgh Path Networks, and the Eastern Cairngorms Access Project. Together they form the building blocks that will provide for access to the Angus countryside.

1.3 The coastline with its mixture of dramatic cliffs and sandy beaches, is amongst the most spectacular in Scotland. The Angus Coastal Path project will seek to develop a continuous interpreted path along the Angus coast. Existing paths will be upgraded and missing links constructed where necessary.

1.4 In contrast, the Angus Glens are famous for their heather clad purple hills and Birchwoods. The Eastern Cairngorms Access Project will restore a number of mountain paths creating opportunities for circular walks and improving links from the Angus Glens to Upper Deeside. In addition sensitive improvements to rural car parks, including interpretation boards will improve their attraction to visitors.

1.5 Both projects will provide increased opportunity for tourism benefits to the Angus economy.

1.6 The benefits of exercise to people’s health is now well documented. The development of path networks near where people live will provide increased opportunity for people to improve their health through exercise. The Burgh Path Networks will upgrade existing paths and construct ‘missing links’ where necessary to create a network which will be waymarked and promoted locally.

1.7 Above all, these three projects together with the other policies and proposals contained with the Strategy, provide opportunities to enjoy the Angus countryside by foot, bicycle or horse.

1.8 This Strategy sets out the Council's priorities for the provision and development of access to the countryside in Angus.
2.0 INTRODUCTION

2.1 Background

2.1.1 The first Angus Local Plan (Adopted November 2000) outlined the intention of Angus Council to prepare an Angus Countryside Access Strategy. In addition, the strategy also supports and takes forward the policies and proposals contained within a range of other policy documents, listed within Appendix A. This strategy sets out the Council’s priorities for the provision and development of access to the countryside in Angus.

2.2 Legislation and National Guidance

2.2.1 The Council’s remit in relation to countryside recreation and access is provided by the Countryside (Scotland) Act 1967 as amended primarily by the Natural Heritage (Scotland) Act 1991. This Act provides for the provision of public access by agreement and order, the acquisition of land for public access, the provision of long-distance routes, provisions with regard to rights of way, the development of Country and Regional Parks, the ability to make byelaws and the provision of Ranger Services. Rights of Way are subject to the provisions of Common Law and the Prescription and Limitation (Scotland) Act 1973. More recently the Disability Discrimination Act 1995 may impact on the provision of facilities in the countryside.

2.2.2 The main guidance to local authorities on recreation and access is provided by Scottish Natural Heritage, specifically in its publication “Enjoying the Outdoors” and recently through the Paths for All Partnership. National Planning Policy Guidance (NPPG 11) “Sports, Physical Recreation and Open Space” provides guidance on access routes and rights of way, the use of disused railway tracks for recreation and the use of the countryside for informal recreation and organised sports.

2.2.3 The Land Reform (Scotland) Act 2003 has now been passed by the Scottish Parliament. In Part 1, the Act introduces a major new legislative framework for access to the countryside in Scotland. There will be a general right of access to all land, inland water and the foreshore.

2.2.4 The principle duties which will fall upon Local Authorities are:-

- to establish a Local Access Forum;
- to keep open and free from obstruction any routes over which access rights may be exercised;
- to prepare a Core Path Plan;
- to review and amend Bye-laws.

In addition a range of powers in relation to access will also become available to Local Authorities. It should be noted that such powers and duties under the 2003 Act will only extend to Angus Council in relation to that part of Angus which is not within the Cairngorms National Park. Within the National Park, the Park Authority will be the “Access Authority”.

2.2.5 Prior to the Land Reform (Scotland) Act 2003 coming into effect probably late 2004, it will be necessary that a comprehensive review of its implications for Angus Council in terms of staff and financial resources is undertaken.

PROPOSAL 1: Land Reform (Scotland) Act 2003

Angus Council will carry out a review of the financial and staff resource implications of the Land Reform (Scotland) Act 2003
2.3 **Current Access and Recreation Patterns in the Countryside**

2.3.1 Before the establishment of the modern network of roads maintained by public authorities, people travelled around by foot or horseback via a network of paths and tracks known as “public rights of way”. Many of these routes were ‘drove’ roads on which cattle and sheep were driven to market; others were ‘kirk’ roads leading to the church; and some were ‘coffin’ roads leading to the graveyard. All of them have their origin in the recognition of the common law of Scotland of the public need for routes from one place to another, whether for commercial, religious, recreational or other purposes.

2.3.2 This ancient network has formed the basis of the modern public road network. Public roads have become dominated by the motor car with a large proportion of the public road network being either dangerous or uninviting to walkers, cyclists or horse riders due to vehicular traffic. What remains of the ancient network may no longer be coherent in many areas without the use of public roads. With roads becoming busier they may have consequently fallen into disuse or have become overgrown or removed by landowners. The status of such routes is often far from clear.

2.3.3 The needs of the general public have also changed through time. Leisure and recreation has become increasingly important in modern society with a corresponding enthusiasm for ‘out of town’ recreation facilitated by increased levels of car ownership. The development of country parks and car parks often with associated picnic areas, has in part addressed these needs. These ‘honey pots’ are unusual in that the general public feel safe in their rights to be there. Hill walking, particularly in the Angus Glens has increased in popularity in recent decades. In addition, the general public also enjoy access to some woodlands, forests and river banks as well as stretches of the coast. These locations can be within walking distance of where people live or can be accessed by car, sometimes associated with car parks and picnic areas. There has recently been debate to whether access to mountains, forests, woodlands, river banks, and the coast has what is known as the ‘implied consent’ of the landowner or whether there is a general ‘right to roam’ in Scotland (see Box 1).

**BOX 1 : RIGHT TO ROAM**

For some, the most important mechanism for securing access to the countryside for recreation is not the network of public rights of way constituted at common law, nor the specific statutory and voluntary agreements and orders which provide for public access. It is the ‘tradition’ whereby, subject to responsible behaviour, the public are impliedly permitted by landowners to roam the countryside at will. It is a ‘tradition’; it is **not** a right. It has no basis in law and it is not observed by all landowners.

Source : Rowan-Robinson et al 1993

2.3.4 Access for recreation in the countryside is therefore currently provided for or taken in a range of ways. Several key points with regard to current access to the countryside can be highlighted.

- The reliance upon the car.
- The lack of clarity of where the general public have a right to be.
- The absence of co-ordination of provision for access to the countryside.
- The absence of matching provision to meet demands.
- Limited and/or disjointed path networks near where people live.
2.4 **Modern Access and Recreation Needs**

2.4.1 The towns and villages within Angus are relatively small which enables the majority of the population to get to the edge of the countryside without difficulty. Accordingly, whilst cities may rely heavily upon urban parks and green spaces to meet informal recreational needs, the countryside around settlements in Angus is a key recreation resource. A high proportion of the ‘visits’ to the countryside are short and taken from home or close to it or where people are staying on holiday. It is also worth noting 26.4% of Angus households do not have access to a car (Census 2001). In explaining the future creation of the Paths for All Initiative SNH in their publication “Enjoying the Outdoors: A Programme for Action” (1994), indicated that it “…considers that local access is the most urgent issue on which to make progress….”

2.4.2 Local access needs may include access to woodland, riverbanks and the coast. Access to these areas, along with access to mountain areas is popular, often as daytrips either during holiday periods or weekends, particularly during the summer months.

2.4.3 Access to the countryside can be divided into two types, Linear Access where members of the public follow paths and Area Access where no paths are followed. A definition of each type is shown in Box 2. The different types of path commonly referred to can be confusing and accordingly, are shown in Box 3.

**BOX 2 : TYPES OF ACCESS**

**Area Access** – This term has no statutory significance. It is a generic term which refers to the different forms of public access to the countryside where access is not confined to a more or less defined route. It, therefore, encompasses access obtained through access agreements and orders and management agreements under the Countryside (Scotland) Act 1967, and through the right to roam.

**Linear Access** – This is not a term that has any statutory significance. It is a generic term describing public rights of access along a more or less defined route. It, therefore, encompasses public rights of way constituted at common law, public paths created under the 1967 Act and permissive paths.

Source: Rowan-Robinson et al 1993
BOX 3 : TYPES OF PATH

**Public Path** – Planning Authorities have power under Part III of the 1967 Act to create a public path by agreement or compulsorily. The term is defined in Section 30(3) of the 1967 Act as a way which is a footpath or bridleway or a combination of those.

**Public Right of Way** – The term is not defined in the Act. It is usually taken to refer to a public right of way constituted under common law. However, a public path created under Part III of the Act is in the literal sense a public right of way and there is some indication in the 1967 Act (see Section 38(1) and (6) and 43) that the term public right of way is used there as a generic term to encompass both common law public rights of way and public paths over which the public have a right of linear access. Where necessary, the different types of right of way are distinguished by the terms ‘common law right of way’ and ‘public path’ in the guide. The term ‘public right of way’ does not include a permissive path.

**Permissive Path** – This is not a term that appears in the 1967 Act and it has no statutory significance. It is used to describe a form of linear access over which the public generally have no rights as such. Use is not as of right but as of grace. Permission for the public to use the route may be obtained by negotiation between the Planning Authority and the landowner.

**Footpath** – A footpath is defined for the purposes of Part III of the 1967 Act in Section 47 as a way over which the public have the following, but no other, rights of way; that is to say, a right of way on foot with or without a right of way on pedal cycles. This definition is not entirely consistent with that in the Roads (Scotland) Act 1984. Section 151 of that Act refers to a ‘footpath’ as a way over which the public have a right of passage on foot only; riding a bicycle on a footpath is an offence (Section 129(5)) unless a specific right to do so exists (see Para 4.1.46).

**Bridleway** – A bridleway is defined for the purposes of Part III of the 1967 Act in Section 47 as a way over which the public have the following, but no other, rights of way; that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along that way. Quite apart from the provisions of the 1967 Act, it is recognised under the general law of Scotland that a public right of way may be created in favour of persons on horseback; but the term ‘bridleway’ is not commonly used. It is a term generally associated with access to the countryside on horseback in England and Wales.

Source : Rowan-Robinson et al 1993
3.0  KEY THEMES

3.1  Access for All

3.1.1 Many people seek access to the countryside for a wide variety of recreational reasons. Not all of them seek access on foot and not all are fit and capable of climbing obstacles such as stiles, gates or fences. In order to enjoy access many users require relatively smooth surfaces with minimum gradients and gates designed for ease of use where they are absolutely necessary.

3.1.2 Provision of access for those with disabilities has been highlighted as an issue by the Disability Discrimination Act 1995. All new projects should now take into account the needs of people with disabilities and existing provision should be reassessed to identify ways in which it could be improved to cater for the needs of the disabled.

3.1.3 Despite the fact that more cycles are sold in Britain each year than cars, cycle use declined between the mid 1970’s and 1990’s. Whilst cycle usage has increased in recent years, there remains a latent or unmet demand for safe routes for cycling. Similarly horse riding, which has become increasingly popular in recent years, experiences similar safety issues.

3.1.4 Where possible and appropriate, paths and facilities should be designed to enable the path to be used by as many user types as feasible, including disabled users, bicycles and horses.

**POLICY 1 : Access for Disabled People**

To ensure that all new access projects are compliant with the Disability Discrimination Act 1995, with the aim of providing barrier free access and, whenever reasonably possible, to adopt the standards laid out in the BT Countryside For All standards and guidelines.

**PROPOSAL 2 : Access for Disabled People**

Carry out an audit of existing access provision provided by Angus Council, and implement changes to ensure compliance with the Disability Discrimination Act 1995.

**POLICY 2 : Access for Bicycles and Horses**

To ensure that as far as possible and where appropriate new access projects are designed to be used by cyclists and horse riders.

**PROPOSAL 3 : Access for Bicycles and Horses**

To carry out a review of existing Bye-Laws and Management Rules relating to Council owned land with a view to permitting bicycles and horses where appropriate.

3.2  Access Rights

3.2.1 Everyone, whatever their age or ability, has access rights established by the Land Reform (Scotland) Act 2003. You only have access rights if you exercise them responsibly.

3.2.2 You can exercise these rights, provided you do so responsibly, over most land and inland water in Scotland, including mountains, moorland, woods and forests, grassland, field margins, paths and tracks, rivers and lochs, the coast and most parks and open spaces. Access rights can be exercised at any time of the day or night.
3.2.3 You can exercise access rights for recreational purposes (such as pastimes, family and social activities, and more active pursuits like horse riding, cycling, wild camping and taking part in events), educational purposes (concerned with furthering a person’s understanding of the natural and cultural heritage), some commercial purposes (where the activities are the same as those done by the general public) and for crossing over land or water.

3.2.4 Existing rights, including public rights of way and navigation, and existing rights on the foreshore, continue.

3.2.5 The main places where access rights do not apply are:-

- houses and gardens, and non-residential buildings and associated land;
- land in which crops are growing;
- land next to a school and used by the school;
- sports or playing fields when these are in use and where the exercise of access rights would interfere with such use;
- land developed and in use for recreation and where the exercise of access rights would interfere with such use;
- golf courses (but you can cross a golf course provided your don’t interfere with any games of golf);
- places like airfields, railways, telecommunication sites, military bases, working quarries and construction sites; and
- visitor attractions or other places which charge for entry.

3.2.6 Local Authorities will have a duty to uphold access rights.

3.2.7 Local Authorities can formally exempt land from access rights for short periods. Local Authorities and some other public bodies can introduce byelaws.

3.2.8 Access rights do not extend to:-

- being on or crossing land for the purpose of doing anything which is an offence, such as theft, breach of the peace, nuisance, poaching, allowing a dog to worry livestock, dropping litter, polluting water or disturbing certain wild birds, animals and plants;
- hunting, shooting or fishing;
- any form of motorised recreation or passage (except by people with a disability using a vehicle or vessel adapted for their personal use);
- anyone responsible for a dog which is not under proper control; or to
- anyone taking away anything from the land for a commercial purpose.

3.2.9 Statutory access rights do not extend to some places or to some activities that the public have enjoyed on a customary basis, often over a long period of time. Such access is not affected by the Land Reform (Scotland) Act 2003 and will continue.

**PROPOSAL 4 : Access Rights**

Angus Council will develop policies and procedures to uphold access rights under the Land Reform (Scotland) Act 2003.

**PROPOSAL 5 : Local Authority Power to Exempt Land from Access Rights**

Angus Council will develop policies and procedures to process applications to exempt land from the general right of access.
3.3. **Local Access Forum**

3.3.1 Whilst most people would agree managing access to the countryside is "a good thing", there are different views on how it should be done. Walkers, cyclists, horse riders, land managers, Angus Council and other organisations may all have different interests, concerns and priorities. The establishment of a Local Access Forum would provide a practical way for everyone to work together on access to achieve mutual understanding and consensus. The Land Reform (Scotland) Act 2003 has made it a statutory duty for Local Authorities to set up a Local Access Forum.

**PROPOSAL 6 : Local Access Forum**
Angus Council will establish an Angus Local Access Forum

3.4 **Scottish Outdoor Access Code**

3.4.1 Many people still refer to "the Country Code", when it comes to acceptable behaviour in the countryside. There is however no universally accepted and comprehensive code of behaviour in relation to access in the countryside. Under the 2003 Act, Scottish Natural Heritage has an obligation to prepare and promote a new Scottish Outdoor Access Code. This Code will detail what is considered to be reasonable behaviour by both the public taking access and by land managers and will be a valuable tool in reconciling different interests.

**PROPOSAL 7 : Scottish Outdoor Access Code**
Angus Council will assist Scottish Natural Heritage in promoting the Scottish Outdoor Access Code.
4.0 PATH NETWORKS

4.1 Core Path Plan

4.1 Under the Land Reform (Scotland) Act 2003, it will be the duty of each Local Authority to draw up a plan for a system of paths known as "Core Paths". This system of paths should be sufficient to give the public reasonable access through their area. This Core Path Plan should be drawn up not later than three years after the legislation coming into force.

4.1.2 In drawing up the Plan, the Local Authority, should take account of the likelihood of the public using a path; the desirability of encouraging the use of it and the need to balance the rights of those taking access with the interests of the owner of land.

4.1.3 There is a procedure which will lead to the formal adoption of the plan.

PROPOSAL 8 : Core Path Plan

Angus Council will prepare a Core Path Plan in consultation with landowners and local communities.

4.2 Burgh Path Networks

4.2.1 As outlined in paragraphs 2.3 and 2.4, there exists a strong largely unmet demand for local access to the countryside, close to where people live. Whilst some confident, adventurous or knowledgeable individuals in each burgh may be aware of a range of off-road routes to walk, cycle, or ride, most are not aware of the full extent of existing opportunities or are unable to take full advantage of them. There is a strong need for a network of paths around each burgh which:

- are safe and as far as possible off-road;
- form a range of route options which enable circular walks of a variety of lengths;
- provide for a range of user types including walking, cycling, horse-riding and disabled; (NB it will not be practical or cost-effective that all paths will be suitable for all user types);
- are suitably signposted, way marked and promoted to encourage public usage;
- link to the urban path network, parks and greenspace;
- connects into existing cycle tracks and the National Cycle Routes where possible.

PROPOSAL 9 : Burgh Path Networks

Angus Council will work in conjunction with landowners and local communities to develop path networks around each of the seven Angus burghs.

4.2.2 There is increasing recognition that the lack of exercise is a major contributory towards many health problems. The Physical Activities Group of the Angus Health for All Partnership see the promotion of walking as the key means of encouraging the population of Angus to take more exercise. Opportunities for walking are free, require no equipment and are available to all sectors of society. There is an opportunity for the further development of a ‘referral to exercise’ scheme in association with general medical practitioners and Tayside Health Promotion Centre.

4.2.3 The Paths to Health Project was created by the Paths for All Partnership to improve the health and well-being of both disadvantaged and sedentary people through the promotion of walking for health.
PROPOSAL 10 : Paths to Health

Angus Council will work closely with Angus Health for All and local general medical practitioners to promote the use of paths to improve the health of local communities.

4.3 Village Path Networks

4.3.1 There is a similar need for path networks around villages within Angus. The smaller scale of potential networks and the often closer involvement of landowners within communities can make the creation of such networks achievable by smaller communities if advisory and technical assistance is provided. In Newtyle, where a path network is being developed by the community, organisational guidance has been provided by Community Education. Angus Environmental Trust has engaged a consultant to provide technical assistance to the community. Given resource constraints within the Planning and Transport Department, this method of working is considered an appropriate model for implementing future Community Path Networks.

PROPOSAL 11 : Village Path Networks

Angus Council will work with Angus Environmental Trust to assist smaller communities to develop path networks.

4.4 Public Rights of Way

4.4.1 A public right of way is a type of path established under common law (see Box 3). They can be created by express grant or by usage. Public rights of way, however, were usually established by their continuous use by the public from time immemorial. Whilst this period was originally fixed by judicial interpretation at 40 years it was later reduced to 20 years by the Prescription and Limitation (Scotland) Act 1973. The essential requirements for a public right of way to become established can be listed as follows:-

One public place to another public place

The track must run from one public place to another public place. A public place can be regarded as a place where the public are entitled to be. Examples of a public place may include a public road; burial ground; harbour or indeed another public right of way. A hilltop is not normally regarded as a public place. Some parts of the foreshore belong to the Crown and other parts belong to private individuals. Irrespective of ownership, the public generally have a right to walk along the foreshore; but a part of it can only be described as a public place for the purposes of establishing a right of way only if the public have been in the habit of resorting to it for loading or unloading vessels, for fishing, or for some other definite purpose.

A more or less defined route

The track must follow a more or less defined route. Therefore, in cases where area access is enjoyed such as woodland or un-enclosed hill land a public right of way may not be established.

Openly and peaceably by members of the public

The track must have been used openly and peaceably by members of the public otherwise than with the permission, express or implied, of the landowner. In this context, it is worth noting that the law assumes a vigilant landowner and therefore a public right of way may be established if the public’s use of a route takes place without challenge.

There is no magic number of witnesses required to establish a public right of way. The level and pattern of usage should be consistent with the usage that might be expected if the route was an
Thus a route on an urban fringe would reasonably be expected to have higher levels of usage than one within perhaps the Angus Glens whose use may also have marked seasonality.

**For a continuous period of 20 years**

The track must have been so used without substantial and effective interruption for a period of 20 years or more. Moreover, the converse is also true in that if the right to use a route has not been exercised for a continuous period of 20 years then the right may be extinguished.

4.4.2 Under the Countryside (Scotland) Act 1967, Angus Council, as Planning Authority has the duty to assert, protect and keep open and free from obstruction or encroachment public rights of way within Angus. However, whilst there are doubtless hundreds of public rights of way within Angus, only three routes are known to Angus Council as having been vindicated through the Courts. Therefore prior to discharging its statutory functions Angus Council would typically need to clarify whether it is likely that a public right of way exists. This procedure is shown in Box 4. Due to the expense and staff time involved there is a preference that disputes be resolved without recourse to Court, provided that the Council’s statutory obligation can be adequately discharged. To this end, the Council will endeavour to resolve disputes through the ‘Assertion’ of public rights of way where appropriate. A route would only be ‘Asserted’ where Angus Council, having considered the evidence, considers that the evidence is sufficiently compelling that it would consider raising an Action for Declarator in order to ‘Vindicate’ the existence of the route through the Courts if necessary. The letter of Assertion would indicate the Council’s position on the case and require whatever works/actions are necessary in order to remove any obstruction to a public right of way.

4.4.3 Public rights of way can form important links in path networks (see 4.1 and 4.2). Where there is public demand, and a Public Path Agreement is not able to be secured, the Council may, as an alternative to a Path Creation Order, pursue the Assertion/Vindication of a public right of way as necessary.

4.4.4 The Scottish Rights of Way and Open Spaces Society, in conjunction with Scottish Natural Heritage, produced the Catalogue of Rights of Way (CROW) in 1997. CROW attempts to create a formal record of all known claimed, asserted or vindicated public rights of way in Scotland.

Whilst the catalogue is not a public document and certainly not definitive, it can never the less be useful as a starting point for investigations in relation to disputes and the creation of path networks.

**POLICY 3 : Public Rights of Way**

Angus Council will consider the use of Assertion procedures wherever possible to resolve public rights of way disputes and to assist in the creation of path networks.

**PROPOSAL 12 : Catalogue of Rights of Way**

Angus Council will continue to work with the Scottish Rights of Way and Open Spaces Society and Scottish Natural Heritage to update the Catalogue of Rights of Way as necessary.

4.5 Scottish Paths Record
4.5.1 In preparation for the new duties upon Local Authorities in relation to the Land Reform (Scotland) Act 2002, Scottish Natural Heritage recently engaged consultants to prepare, in conjunction with Local Authorities, a database of all known paths in Scotland, known as the Scottish Paths Record. This database is intended to assist Local Authorities in the preparation of Core Path Plans under the Act. It is expected that Local Authorities will keep their respective part of the record up to date.

PROPOSAL 13 : Scottish Paths Record

Angus Council will work with Scottish Natural Heritage in order to update the Scottish Paths Record as necessary.

BOX 4 - Public Right of Way Investigation Procedure

Stage 1 – Formal complaint received regarding obstruction to a public right of way.

Stage 2 – Visit site to check if route could satisfy criteria 1 and 2 from para 4.4.1. If so, advise complainant and record route as a claimed public right of way.

Stage 3 – Write to landowner(s) to advise on the route being a claimed public right of way. If right of way status accepted, advise complainant and pursue removal of obstruction.

Stage 4 – If right of way not accepted issue custom-designed questionnaires to complainant and Community Council to determine public usage of the path.

Stage 5 – Questionnaire returns assessed by Council’s Solicitors to establish whether evidence is likely to be sufficient to have established a public right of way.

Stage 6 – Report findings to Infrastructure Services Committee. If insufficient evidence advise all parties accordingly. If evidence sufficient, assert as public right of way by writing to all interested parties advising of the Council’s opinion and requirement to remove obstruction. Record route as Asserted public right of way. If accepted by landowner – no further action.

Stage 7 – If Assertion not accepted by landowner, review evidence and report to Infrastructure Services Committee to approve vindication through the Courts or pursue a Path Creation Order.

Stage 8 – Pursue court action and amend recorded status to Vindicated public right of way if successful.

NOTE – Whilst every effort is made to resolve disputes promptly, the procedure can be lengthy and there are also limited staff resources available to undertake the work associated with Rights of Way.
5.0 ENCLOSED AGRICULTURAL LAND

5.1 Enclosed agricultural land is the land use which most commonly abuts urban areas. Of all land uses it is probably the most problematic to accommodate area access. The possibility of damage to crops and disturbance to livestock can lead to the general public being unwelcome in such landscapes. This together with a sometimes limited public understanding of both farming practice and their own rights often discourages the public from taking access.

5.2 It is considered that the most widely used means of access to enclosed agricultural land be through linear access by the creation of path networks (see 4.2 and 4.3). The Scottish Outdoor Access Code will be a valuable tool in promoting mutual understanding between land managers and those taking access (see para 3.4).
6.0 THE COAST

6.1 With its mixture of dramatic cliffs and sandy beaches, the coastline of Angus is one of our greatest assets. Around 50% of the population of Angus live in the four coastal Angus Burghs to whom the coast will often form the most important opportunity for walking and recreation. In addition, the coast is a magnet for tourists and day trippers from Angus and wider Tayside.

6.2 Unlike almost everywhere else, it would appear that the general public perceive that they have a right of access to the coast. This includes everything seaward of cultivated or enclosed land. This “zone of recreation” can be narrow along some cliff tops or can be relatively broad particularly on sandy stretches of coast with associated sand dune complexes.

6.3 Whilst sections of the coast do contain public rights of way and linear paths, much of the use of the coast is exercised as area access for picnics, swimming, sunbathing, children’s play and dog-walking. Walking is not always on defined paths, commonly on the beach itself, and used for informal circular walks.

6.4 The Angus coastline is some 55 kilometres in length. However, relatively little of the coast has a recognised path along it. Apart from the urban coastal areas, paths exist from Arbroath to Auchmithie; Ferryden to Mains of Usan; and both north and south of Ethie Haven. These paths vary greatly in standard with the path between Seaton Den and Auchmithie not visible on the ground but accepted by the landowner as a public right of way.

6.5 Much of the Angus coastline is designated as a Site of Special Scientific Interest by Scottish Natural Heritage for a combination of its nature conservation and geological interest. Similarly, the Angus coastline is rich in archaeological interest. The combination of the rich natural and cultural heritage, together with the spectacular scenery, create an opportunity of an interpreted path or network of paths along the Angus coast.

**PROPOSAL 14 : Angus Coastal Path**

Angus Council will work with landowners and local communities to create an interpreted Angus Coastal Path in consultation with Scottish Natural Heritage.
7.0 RIVERS AND LOCHS

7.1 Away from the coast, access to riverbanks and lochsides are used to satisfy the human desire to be beside water. Use of a boat can enable access to parts of the landscape not easily accessible on foot.

7.2 Again there may be access along paths, some of which may be public rights of way. In addition individuals may be there “under licence” with a fishing permit. Whilst the activities are similar to these undertaken on the coast there may be a greater use of informal paths due to the absence of a beach.

7.3 There is often a strong association with woodland as a means of getting to the riverbank, common in the Angus Glens, or because the rivers have associated riparian woodland, sometimes within Dens.

7.4 Gaining access to riverbanks and lochsides often involves crossing enclosed agricultural land with the associated problems outlined in para 5.1. In addition, in some areas landowners, fear disturbance to fish and perhaps a loss of exclusivity for permit holders.

7.5 Canoeing in Angus is currently known to take place on stretches of both the rivers North Esk and South Esk. Inland sailing currently takes place at Monikie and Forfar Loch Country Parks.

7.6 Where canoeing and fishermen come into contact there is a common etiquette that, when canoeists come across fishermen, they do not pass until signalled by the fisherman that it is appropriate to proceed.

7.7 Access to riverbanks for the purpose of launching and retrieving canoes is limited and may not always coincide with navigable stretches of rivers.

PROPOSAL 15 : Access for Canoes

Angus Council will enter into discussions with canoeing representative groups and landowners to assess the adequacy of provision for access to riverbanks for the purposes of launching and retrieving canoes.
8.0 MOUNTAINS AND HILLS

8.1 Unenclosed hill land is perhaps the category that raises greatest passion with regard to the unwritten "right to roam" debate. Such landscapes appear to embrace societies need for a link to wilderness. Around one third of Angus is unenclosed hill and mountain. Whilst the largest areas occur in the Angus Glens, other smaller areas exist across Angus, notably in the Sidlaws.

8.2 Whilst users may follow informal paths in part and occasionally public rights of way, area access is commonly taken. The extensive nature of both farming and sporting practices can make such areas highly suitable for area access. However, the numbers taking access to the hills particularly within the Angus Glens has increased significantly in recent years. A significant contributory factor is the growing popularity of climbing “Munros” (mountains over 3,000 feet) and “Corbetts” (mountains over 2,500 feet). Unfortunately, the popularity of the hills can, in the more popular areas, lead to conflict with deer stalking and grouse shooting during the season.

8.3 Parts of the Angus Glens are covered by the Hillphones network. This enables members of the public to telephone and receive a pre-recorded message of areas to avoid due to sensitive estate activity such as deer stalking or grouse shooting. Within the Angus Glens, this service is co-ordinated by the Angus Glens Ranger Service.

**PROPOSAL 16 : Angus Glens Hillphone**

Angus Council will continue to provide the use of the Angus Glens Hillphone as a means of minimising conflict between hillwalkers and estate activities.

8.4 Angus Council is represented on the Cairngorms Upland Paths Working Group. This Working Group has identified those paths which are particularly in need of maintenance. Within Angus Jock’s Road between Glen Doll and Braemar, and the path from the Clova Hotel around Loch Brandy are included as priorities.

**PROPOSAL 17 : Cairngorms Upland Paths Working Group**

Angus Council will work with the Cairngorms Upland Paths Working Group to improve and maintain upland paths as appropriate.

8.5 Angus Council in partnership with a range of organisations have created the Eastern Cairngorms Access Project (ECAP) (see Box 5).

**BOX 5 : Partners in the Eastern Cairngorms Access Project**

- Aberdeenshire Council
- Angus Council
- Scottish Enterprise Grampian
- Scottish Enterprise Tayside
- Scottish Natural Heritage
- Angus Environmental Trust
- Cairngorms Partnership
- Upper Deeside Access Trust
- Private Landowners
ECAP have submitted a bid for ERDF Objective 2 and HLF funding for an access project which includes part of the Angus Glens. If sufficient funding becomes available, the project will deliver the following within Angus:

Four mountain path restoration projects of the most popular and damaged hill paths in the Eastern Cairngorms, including some of the key link routes between the Angus Glens and Upper Deeside.

The creation and improvement of seven high quality circular walks and linking routes within and between the glens.

The development and signing of two low ground community path networks.

Sensitive improvements to upgrade and sign six existing rural car park and picnic areas and the creation of one rural car park at a key access point.

The development of four information guides and ten interpretive map boards.

Marketing and promotion of Eastern Cairngorms sustainable tourism product (complementary ERDF revenue bid).

PROPOSAL 18: Eastern Cairngorms Access Project

Angus Council will work with the partners of ECAP to deliver the project.
9.0 WOODLANDS

9.1 As a land use, woodlands are one of the most resilient with a high capacity to absorb public access. They provide an often rare opportunity for area access within lowland enclosed landscapes. In the more remote areas they provide an all-weather alternative to the high hills and can also provide a suitable environment for activities such as mountain-biking and cross-country skiing. Woodlands offer a close association with nature; a striking sense of seasonality and are the choice playground of children.

9.2 Access to woodland is commonly enjoyed in a number of woodlands throughout Angus. Whilst some may be along public rights of way, other may be used on the basis of “implied consent” (see para 9.3.3). Such use may be along informal path networks and/or on an area basis. Paths commonly follow circular routes as their principle reason for use is recreation.

9.3 The Forestry Commission own substantial areas of forestry in Glen Doll, Glen Prosen, Glen Isla and at Montreathmont. All Forestry Commission land is open to the public. However, Glen Doll is actively promoted for walking in particular. Forests can be ideal environments for cross-country ski-ing due to their often good snow holding characteristics. Cross-country ski-ing is encouraged within the Commission's land holding in Glen Isla.

9.4 The Forestry Commission also offer grants for the planting and restocking of woodland. Grants were previously offered through the Woodland Grant Scheme. In relation to new woodlands, an additional Community Woodland Supplement (CWS) was offered to encourage planting of woodlands with community access. The most extensive take-up of CWS has been by Angus Council around the burghs through the Angus Millennium Forest. The only other woodland to have benefited from CWS in Angus is the large woodland at Balkello, near Kirkton of Auchterhouse.

9.5 The Scottish Forestry Grant Scheme (SFGS) was launched by the Forestry Commission in March 2003 and replaced all existing grant aid mechanisms. In addition to grants for woodland expansion and restocking a range of Stewardship Grants are available which include a range of grants to provide infrastructure public access to both new and existing woodland based upon a percentage of Standard Costs.

9.6 The Woodland Trust currently own two woodlands within Angus : Brighty Wood near Wellbank and Backmuir Wood at Muirhead. Both woodlands are promoted by the Trust for public access.

9.7 Where fencing is used and in particular, deer fencing, access to woodlands and areas of land beyond can inadvertently be obstructed.

POLICY 4 : Woodland Recreation

Angus Council will work with the Forestry Commission to promote the take up of grants to promote Woodland Recreation through the Scottish Forestry Grant Scheme.

POLICY 5 : Forestry Fencing

Angus Council will work with the Forestry Commission to ensure their forestry fencing does not unreasonably restrict public access to or through woodland.
10.0 COUNTRY PARKS NATURE RESERVES AND COUNTRYSIDE SITES

10.1 There are three country parks within Angus; Crombie, Monikie and at Forfar Loch. These are managed by Angus Council, Leisure Services. Other popular sites include Montrose Basin Local Nature Reserve, (joint management between Angus Council and Scottish Wildlife Trust) Glen Doll Forest and Caenlochan National Nature Reserve, (joint management with Angus Council, Leisure Services, Forest Enterprise and Scottish Natural Heritage) and Loch of Kinordy (managed by Royal Society for the Protection of Birds).

10.2 Countryside sites include a collection of car parks often with associated picnic areas and these are located across Angus from the coast to the Angus Glens. The attraction of each site is equally diverse with for example, the Lunan Bay car park being adjacent to the beach; the three car parks at Gella Bridge, Glen Clova, being by the river; and the Reekie Linn car park being near the waterfall of the same name. These sites are typically leased from the landowner and maintained by Angus Council. Many of these sites have been in existence for a number of years and consequently may require upgrading.

10.3 There is an opportunity to develop country parks, nature reserves and countryside sites by encouraging their use as access points to the wider countryside.

**PROPOSAL 19 : Countryside Sites**

Angus Council will review the condition of existing countryside sites with a view to devising a programme of upgrading as necessary.

**PROPOSAL 20 : Access to the Wider Countryside from Country Park and Countryside Sites**

Angus Council will investigate the feasibility of improving access to the wider countryside from country parks and countryside sites.
11.0 IMPLEMENTATION AND TIMESCALES

11.1 The implementation of the proposals contained within this strategy will have significant financial and staff resource implications extra to current provision. This strategy does not in itself identify or secure such resources, the availability of which will ultimately dictate whether proposals are implemented. The implementation timetable, below should therefore be regarded as provisional at this stage and subject to availability of adequate financial and staff resource.

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Implementation Responsibility</th>
<th>Timescale</th>
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<tbody>
<tr>
<td><strong>PROPOSAL 1 : Land Reform (Scotland) Act 2003</strong>&lt;br&gt;Angus Council will carry a review of the financial and staff resource implications of the Land Reform (Scotland) Act 2003</td>
<td>Planning &amp; Transport&lt;br&gt;Leisure Services</td>
<td>✓</td>
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<tr>
<td><strong>PROPOSAL 2 : Access for Disabled People</strong>&lt;br&gt;Carry out an audit of existing access provision provided by Angus Council, and implement changes to ensure compliance with the DDA (1995)</td>
<td>Leisure Services</td>
<td>✓ ✓</td>
</tr>
<tr>
<td><strong>PROPOSAL 3 : Access for Bicycles and Horses</strong>&lt;br&gt;To carry out a review of existing ByeLaws and Management Rules relating to Council owned land with a view to permitted bicycles and horses where appropriate</td>
<td>Leisure Services</td>
<td>✓</td>
</tr>
<tr>
<td><strong>PROPOSAL 4 : Access Rights</strong>&lt;br&gt;Angus Council will develop policies and procedures to uphold access rights under the Land Reform (Scotland) Act 2003.</td>
<td>Planning &amp; Transport&lt;br&gt;Law &amp; Administration</td>
<td>✓</td>
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<tr>
<td><strong>PROPOSAL 5 : Local Authority Power to Exempt Land from Access Rights</strong>&lt;br&gt;Angus Council will develop policies and procedures to process applications to exempt land for the general right of access.</td>
<td>Law &amp; Administration&lt;br&gt;Planning &amp; Transport</td>
<td>✓</td>
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<tr>
<td><strong>PROPOSAL 6 : Local Access Forum</strong>&lt;br&gt;Angus Council will set up an Angus Local Access Forum</td>
<td>Planning &amp; Transport</td>
<td>✓</td>
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<tr>
<td><strong>PROPOSAL 7 : Scottish Outdoor Access Code</strong>&lt;br&gt;Angus Council will assist Scottish Natural Heritage in promoting the Scottish Outdoor Access Code</td>
<td>Leisure Services&lt;br&gt;Planning &amp; Transport</td>
<td>✓ ✓ ✓</td>
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<td>Proposal</td>
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<td>8</td>
<td>Core Path Plan</td>
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<td>13</td>
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<td>Planning &amp; Transport</td>
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<td>Access for Canoes</td>
<td>Leisure Services</td>
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**PROPOSAL 8 : Core Path Plan**
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<td>Planning &amp; Transport Leisure Services Chief Executive’s</td>
<td>✓</td>
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<td><strong>PROPOSAL 20 : Access to the Wider Countryside from Formal Countryside Sites</strong></td>
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<tr>
<td>Angus Council will investigate the feasibility of facilitating access to the wider countryside.</td>
<td>Leisure Services Planning &amp; Transport</td>
<td></td>
<td>✓</td>
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</tbody>
</table>
12.0 REVIEW

12.1 This strategy has been prepared in the context of the Council's current duties and powers. The majority of projects undertaken on access to the countryside rely upon partnership funding to make them financially viable. Whilst this strategy takes account of current and anticipated partnership funding opportunities, these will inevitably change as the priorities of partners evolve through time.

12.2 The Land Reform (Scotland) Act 2003 will change Angus Council’s duties and powers in relation to access. It will also create opportunities not currently available and will probably lead to changed priorities among funding partners. It is therefore appropriate that this strategy be reviewed within 12 months.
APPENDIX A

LIST OF STATUTORY DOCUMENTS AND OTHER NON-STATUTORY STRATEGIES WHICH RELATE TO COUNTRYSIDE ACCESS WITHIN ANGUS

The Approved Dundee and Angus Structure Plan – particularly paragraph 7.2 and Environmental Resources Policy 5: Urban Fringes and Countryside Access; and Tayside Indicative Forestry Strategy incorporated into the Structure Plan as a background paper (Rural Development Policy 12 – to support the provision of access to and through woodland areas);

The Adopted Angus Local Plan – particularly chapter 7: Sport, Recreation and Tourism, including discussion of Public Rights of Way, Footpaths and Access (paras 7.29 – 7.35 and policies/proposal RT12, RT13, RT14, RT15, RT16).

Angus Local Transport Strategy – particularly sections on Walking and Pedestrians (pages 24/25) and Cycling (pages 26/27);

Angus Local Agenda 21 Strategy – particularly theme 8 on Access.

Angus Council/SNH Concordat – particularly section 3 on provision of opportunities to enjoy the natural heritage and related actions.