

WEST DUNBARTONSHIRE COUNCIL

Report by Acting Executive Director of Housing, Environment and Economic Development (Housing and Regeneration Services)

Planning Committee: 4 September 2007

Subject: Public Access at Greenland Farm, Milton

1. Purpose

- 1.1 To update the Committee on progress in securing the provision of public access at Greenland Farm, Milton.

2. Background

- 2.1 The Committee will recall, that the public had been deterred from taking access along Greenland Farm road by signs which prohibit access.
- 2.2 At its meeting on 6 June 2007, the Committee noted the progress that had been made with new fencing and gates installed but continued to express concern that the replacement signage had not been erected. At its meeting on 19 June however, the committee noted that the replacement signage had now been erected and that these replacement signs were compliant with the terms of the Land Reform (Scotland) Act 2003, and that the Council would erect further signage on Milton Brae to advise members of the public of their access rights on the route to Loch Humphrey, as soon as possible.
- 2.3 Further signage has been erected at Milton Brae, adjacent to the entrance to Greenland Farm. This signage is a standard green directional sign that directs people on to the route leading to Loch Humphrey, and a further green directional sign once on the track confirms the route.

3. Main Issues

- 3.1 As outlined in the report to Committee on 19 June 2007, there is a nationally recognised type of sign that many Councils and Scotways (Scottish Rights of Way Society) use, and it is this type of sign that has been erected on Milton Brae prior to the entrance to Greenland Farm.
- 3.2 Representatives of the Community Council have indicated to Officers that they still do not consider the signs erected by Mr Thompson to be compliant with the

Land Reform (Scotland) Act 2003, and the directional signage erected by the Council to be adequate.

- 3.3** As a result of this Officers have been in correspondence with Scottish Natural Heritage, who under the terms of the Act have been responsible for the publication of the Scottish Outdoor Access code, which outlines the rights and responsibilities associated with outdoor access. Officers of Scottish Natural Heritage have visited the site and confirmed that in their opinion the signs erected by Mr Thompson are not in breach of the Act, and that the further directional sign will assist in directing people on to the access route leading to Loch Humphrey.
- 3.4** Since officers engaged in dialogue with Mr Thompson earlier this year, advising him and other land managers about their responsibilities with regard to outdoor access, the public have not been restricted whilst exercising their access rights on this route. A very considerable amount of time has been taken up in discussions with the Community Council concerning the signage. They remain unhappy about the signs that Mr Thompson has erected and those the Council has installed, and wish further signage erected on Milton Brae, with a larger sign erected advising of the route to Loch Humphrey. It remains the opinion of Officers and of Scottish Natural Heritage however, that Mr Thompson's signs are compliant with the terms of the Act and that the directional signs, which are a nationally recognised style associated with outdoor access, clearly indicate the route and are satisfactory.

4. Personnel Issues

- 4.1** There are no personnel issues.

5. Financial Implications

- 5.1** There are no financial issues.

6. Risk Analysis

- 6.1** There are no known risks.

7. Conclusions

- 7.1** The resolution of access difficulties has been lengthy and frequently frustrating. The Council through its actions has ensured that signage that is compliant with the Land Reform (Scotland) Act has now been erected. In response to a request from the Community Council, a further sign has been erected within the road verge that clearly indicates the public have a right of access to Loch Humphrey and beyond. The signage is similar to that which exists in many locations throughout Scotland where it is found to be perfectly adequate.

8. Recommendations

- 8.1** The Committee is recommended to note that:
- replacement signs that are compliant with the terms of the Land Reform (Scotland) Act 2003 have been erected by Wm Thompson and Son;
 - further signage has been erected on Milton Brae to advise of the route to Loch Humphrey; and
 - to agree that no further action be taken by officers.

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and Economic Development (Housing and Regeneration Services)
Date : 24 August 2007

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Appendices : None

Background Papers : Land Reform (Scotland) Act 2003

Wards Affected : 3, Dumbarton