

Below is a summary of access issues at Ruchilside. PKC are still working to reach an agreeable resolution for the barbed wire fence. A report is being issued to legal services this week and advice will be taken on how to proceed with Section 14 legal action. In the meantime, we will keep communications open with the land managers in the hope of reaching a solution. Access takers are reminded of the need to act responsibly and follow: [Practical guide for all | Scottish Outdoor Access Code \(outdooraccess-scotland.scot\)](https://www.outdooraccess-scotland.scot)

Barbed Wire Fence next to Right of Way

- Access has been obstructed on a path linking to asserted Right of Way 25/2 by the erection of a barbed wire fence where a gate once stood. Access has been possible through here for a considerable time and is a valued off-road link from Comrie to Cultybraggan camp.
- The landowner was advised that legal action may be taken to remove the obstruction should it remain. This can be done under Section 14 of the Land Reform (Scotland) Act 2003.
- The landowner was contacted and has been met with several times on site to discuss this issue. At these meetings a self-closing gate was offered to replace the barbed wire fence. The landowner agreed to install a stile instead, which PKC agreed to as a gate further down the fence was available.
- The gate further down the fence has been replaced with a new gate which is difficult to open due to an incorrectly installed mechanism.
- Greenspace have written a report to issue to PKC legal services for advice on how to proceed and whether this is eligible for Section 14 action.

Fence on edge of core path

- A fence has been erected to the side of the core path CMRI/1, RoW 25/1. The landowner was advised that there needs to be sufficient room to allow safe access to path users and advised that if the path is encroached upon PKC can take action to remove any obstructions under Section 19 of the Land Reform (Scotland) Act 2003.
- The fence does not cause an obstruction under the Land Reform Act, as sufficient space has been given.

Strainer posts on edge of field

- The path along the edge of the field is not designated as a core path or right of way. This area has been brought into the field, with the landowner intending to plow and seed this area. The landowner is entitled to do this.
- This was a safer alternative to the core path/right of way along the riverside, however repair works were done by PKC Greenspace Rangers to make the core path safe again.
- Space has been left around the field edge, and the landowner has said that vegetation maintenance will be done here to ensure access can be had along it.

Disturbance/rutting of ground over Right of Way 25/2

- The path was damaged by agricultural vehicles. The combination of heavy vehicles and significant rainfall meant that large ruts were left over the path.

- Section 23 of the Land Reform (Scotland) Act 2003 requires that disturbance from ploughing or vehicles is rectified within 14 days.
- This issue has been rectified within the required timescale.

Other issues

- The bird scarers are not an access issue, but reports of their overuse have been passed on to the Environmental Health officers at Perth & Kinross Council
- Any serious anti-social behaviour (e.g. threatening behaviour) or other criminal activities should be reported to the police as well as PKC
- Asbestos-related enquiries should be addressed to the Contaminated Land Officer, who are aware of the issue.