

# Ptarmigan Hillwalking & Mountaineering Club



Website: [www.ptarmiganmc.org.uk](http://www.ptarmiganmc.org.uk)

## Monthly Newsletter

March 2021

### PHMC Chairman's report: March 2021

I have to admit that not much has changed since I last put pen to paper (fingers to keys actually). The weather has come and gone - from snow, through rain and wind, back to snow and ice and now with Spring in the air and in every step. Colin and I tripped through banks of snowdrops last month round about Boghall (other venues are available). This year they somehow seem ubiquitous: but maybe my eyes are more open to these things now that we don't have so many walking companions to distract us.

Many of us still miss our Pentlands guide and mentor, Michael Good. Those who walked those hills each week have him in our thoughts each time we set off without his wide ranging conversation to distract, amuse or inform us. But continue we must, sometimes with a fellow Ptarmigan or ex-Ptarmigan - or even a normal person. During the snowy weeks, the hills and parks became so well used that the flattened snow turned every surface into a hazardous, sloping skating rink.

I found that flat trainers rather than hillwalking boots provided the safest footwear on the sub-zero days of last month. I didn't even manage a decent walk in the Pentlands for the best part of three weeks, not wanting to clog up car parks (some closed again) or add to more traffic on the frozen, rutted side roads. One fall off my bike was enough when I risked heading off the main roads too soon.

We'll keep our eagle eyes on the advice coming from the Scottish government during the weeks ahead (it's not as if they don't have enough of their own troubles to seek) and let you know if and when we can get the club back into some sort of action again. Meantime, as before, please keep getting out and about, ease up on the comfort food, stay fit and cheerful....

And - cue Vera Lynn.

Richard Love

## Access Rights in Scotland – What do you do if you see a sign like this?



Some of us on the Ptarmigan meet to Glen Lyon in July 2019 may recognise this sign. A group had done the Corbett Cam Chreag and were walking back to the bus at Innerwick via the excellent tea room at Bridge of Balgie. Rather than walk on the public road, we took the track through the Meggernie Estate to the south of the public road. Shortly after joining the track we encountered the sign.

Since the passing of the Land Reform (Scotland) Act 2003 by the Scottish Parliament there has been a legal right of responsible public access to almost all land in Scotland. This right, which is pretty much unique to Scotland, extends not just to walkers but also to horse riders and cyclists. It also applies to water and covers canoeists and wild swimmers. Some land is specifically excepted from access rights such as gardens and ground giving privacy to private houses, school grounds and playing fields etc. Public access rights do apply to golf courses but only to cross them. Also excepted are the “curtilages” of non-residential buildings such as farmyards.

There is nothing in the Act about the “curtilage of private residences” and as we did not appear to be “about to enter the curtilage” of buildings of any kind we pressed on. There was an identical sign at the other end of the track. Through my involvement with Ramblers Scotland I have a particular interest in the law relating to access and the signs struck me as a clearly unlawful attempt by the landowner to deter access takers. So I reported the signs to Perth & Kinross Council as the local access authority, suggesting that they should use their statutory powers to require the landowner to remove them. This started an email correspondence with the Council which lasted until November 2020 when, after numerous reminders from me, it told me that the landowner was not prepared to remove the signs and it was not proposing to take any action about the situation.

Perth & Kinross Council currently has a poor reputation for its reluctance to enforce access rights and I was not at all happy with this outcome. Having time on my hands during lockdown, my next step was to make a Freedom of Information request to find out precisely what they had done in response to my complaint. Disappointingly, I discovered that over the sixteen months since my complaint they had sent one letter and two emails to the landowner – one of the emails being in surprisingly apologetic terms. The correspondence also confirmed that the

landowner did not claim the signage was legal but had simply said that the estate was not going to remove them. My next step would have been a complaint to the Scottish Public Services Ombudsman but you can't complain to the SPSO without first exhausting a Council's internal complaints procedure which I duly invoked. Much to my surprise I heard last week that my complaint at the access officers' inaction had been upheld and the case has been sent back to them – so watch this space!

But what should you actually do if you see such a sign or are challenged by a landowner, golf club official or whatever? The best advice is politely to make it clear that you are exercising your public access rights under the 2003 Act in a responsible way and try to carry on. However, most people dislike overt confrontation and discretion may be the better part of valour. But if you are ever in that position you should definitely report the position to the relevant local authority.

Douglas Tullis

### **Members update from Mountaineering Scotland**

Following our last members update in January, and the First Minister's announcement on Tuesday, we wanted to update you on the work which has been taking place on your behalf, and also our next steps in relation to the current COVID-19 legal framework and guidelines.

Since our meeting with representatives from the senior management team at sportscotland and the Active Scotland Division of Scottish Government in early January, we have continued to build our case through reasoned argument using the increasing data and evidence we have to support our case.

Campaigning more publicly on the easing of restrictions for hillwalkers and climbers is highly unlikely to influence Government in the current situation and is potentially disadvantageous in the longer-term post-COVID when dealing with other matters. Instead, we have taken the decision to focus our resources in areas with more potential to influence decision makers, and feel the most effective way to press our case with Government at this time, continues to be through our work with our partners, other sporting bodies and sportscotland. We also need to be mindful of how our actions may be perceived by those who may be experiencing the very serious consequential impacts of COVID-19 as they relate to public health and the economy.

During our discussions in early January, we focussed on the immediate lockdown situation but also took the opportunity to ask whether the easing of travel restrictions could be considered as we planned to move out of lockdown.

A meeting of the Chief Executive Officers of Scottish sports organisations was held on 8th February, at which sportscotland confirmed that representation had been made to the Scottish Government about the possibility of easing travel restrictions at lower levels of the tiered system. We lent our support to this approach making the case that this would help address the current inequality of access to the countryside faced by those living in larger cities and urban areas.

We suggested this approach may assist in a more graduated and managed exit from lockdown and we also asked whether consideration could be given to more people from different households being allowed to meet up outdoors, if participating in organised group and club activity.

In response to the launch of Scotland's 'COVID-19 Strategic Framework Update' this week our current guidance for climbers and hillwalkers remains unchanged. Although the 'Stay at Home' requirement could be removed from 5th April the continuing restrictions on travel will likely be ongoing for many of us. There has however been some welcome movement over the next few weeks which will enable more people from within two different households to meet up outdoors.

## [COVID-19 guidance for hill walkers, climbers and mountaineers](#)

### [Coronavirus \(COVID-19\): Strategic Framework Update](#)

Our next step will be to seek a further meeting with sportscotland and Scottish Government to discuss the revisions to the framework levels which are expected in mid-March for implementation later in April. Our specific request, based on the case we have already set out, will be on allowing greater flexibility to travel at Level 3, as the restrictions at this level are currently the same as in Level 4. We will also be restating the case for the restart of organised group and club activities on the basis that clubs have been proactive in putting COVID officers and measures in place to minimise risk during organised activities.

To assist in our approach, we have been at the forefront in helping to establish a working group involving other outdoor sports to co-ordinate our efforts on this issue and other matters of shared interest. We will also set out how much work our clubs have done to ensure they can resume activities safely and will be focusing additional support towards climbing walls to help with the resumption of indoor climbing as sports facilities start to reopen.

Alongside the current COVID-19 restrictions, we are also looking further ahead to the access, parking and visitor management issues we need to be prepared to deal with this summer following on from the experiences of 2020 to ensure those challenges do not have a negative impact on those who take responsible access. VisitScotland is working with a number of other government agencies to co-ordinate plans to improve the visitor infrastructure, management arrangements and the approach to public communication and messaging on access.

Although some progress is being made, it's likely we will see another very busy summer and we would like to see some guidance on safe car sharing to help reduce the number of vehicles on the road, as well as ensuring the tourism and hospitality sector is able to open up and provide the accommodation and other services needed to support the expected demand for domestic tourism.

For now, we hope the vaccine programme continues at pace and infection numbers continue to fall, and we can look forward to a time when we can all enjoy getting back to the hills and climbing walls.

Yours sincerely,

**Brian Shackleton, President**

**Stuart Younie, Chief Executive Officer**

**How to get your digital copy of *Scottish Mountaineer*** (with apologies to those rare Ptarmigans who are computer-free)

You've probably noticed that you've received only one print copy of the *Scottish Mountaineer* magazine recently. This is because the pandemic has resulted in such a drop in advertising revenue that Mountaineering Scotland has not been able to afford to print and distribute the other issues. However you can access them in digital form here:

<https://edition.pagesuite-professional.co.uk/html5/reader/production/default.aspx?pubname=&pubid=2d389a8d-20e0-45ca-bcfa-ca0b90267622>

This link takes you to the current edition and, if you go to the top right of the tool bar and click on the menu icon, it gives you an option to see the archive, which will let you read issues as far back as February 2013.

## Members News & Views:

It has been a wonderful few weeks of winter weather for those fortunate enough to get out for a play in the snow, but first, we go back to the summer after the first lockdown, with words & a stunning image from Timothy Hayward:

I've not done a whole lot local due to busy Pentlands- kept to my bike on cross-trainer in flat, but did get out at end of first lockdown. I started with Beinn a'Chlachair by Loch Laggen and then Carn Bhac and Meall Dearg in Glen Coe - all perfect hot days. The last one was Beinn Nan Aighenan which was one long trek from Glen Etive; enjoyable and well worth it, I'd recommend it. Picture from top of Beinn Nan Aighenan looking back to Ben Starav attached.



Words & Pictures from Sophie Younger:



Walking along the Water of Leith  
(-9c and powder snow - pure bluebird day!)



A gentle light in a silent and beautiful Stockbridge

A beautiful, local February morning walk with Colin, in ice cold air (-9c that morning) and a gentle blue sky... Working hard at getting back to full strength after a bone marrow transplant, so that I can get back out into the hills with the rest of my PMC friends as SOON as possible!

Colin Shepherd had a stunning day in the Pentland Hills. The pictures shall do the talking:



John Townshend was also out on the Pentland Hills. A straightforward shot of the Kips in snow from Monksrig & unusual formation of rime on a square mesh fence.



## **Ewieside Hill Fort**

I was jealous of all the Pentland Hill pictures on social Media, and the fact I had moved, they were now out of my reach. Not to be outdone there was a small weather window, a few days of temperatures in the minus & we even had snow down to lower levels on the Berwickshire coast. After work, driving home down the A1, everywhere looked gleaming white. A quick lunch in the house then I was off, a few km walk up the frosty, country road to my local hill. I was last up this hill in October with the Mountain Bike & very muddy conditions. Kevin Russell



Link to the wee video I made: <https://www.youtube.com/watch?v=r3JiyCd3KrY>

Please email us & let us know what you have been up to. Send us pictures and stories from your local walks to be included in the next newsletter [secretary@ptarmiganmc.org.uk](mailto:secretary@ptarmiganmc.org.uk)