

Introduction

Part One of the Land Reform (Scotland) Act 2003 came into effect on the 9th February 2005 creating a new statutory right of responsible access to most areas of land and inland water within Scotland.

The Act also placed a number of new duties on Local Authorities and gave them powers to enforce and regulate these duties. The paragraphs below set out the duties in relation to core paths planning.

- Section 17 places a duty on Councils to draw up a draft Core Path Plan “sufficient for the purpose of providing reasonable access throughout their area” within three years of the Act coming into force and goes on to define the type of paths which may be included in the Plan and what should be considered in drawing up the Plan.
- Section 18 places a duty on Councils to publicise their Draft Plan for a period of 12 weeks and highlights who is required to be consulted on the Plan and sets out the procedure and requirements for the adoption of the Plan.
- Section 19 gives a Council the power to do anything which it considers appropriate to maintain a core path, keep it free from obstruction or encroachment and provide the public with directions to a core path.
- Section 20 places a duty on Councils to review and amend their Core Paths Plan at their discretion or when directed to by Scottish Ministers and goes on to set out the procedures and requirements following the amendment of the Plan.



What are core paths?

The types of paths and routes which may be included as Core Paths are listed in Section 17(2) of the Act. The list includes rights of way, other existing routes such as paths, footways, cycle routes, paths established through public path agreements and orders, and waterways over which access rights are applicable.

The Scottish Executive's Guidance also describes the characteristics of a Core Path and suggests that the Core Paths Network will provide for the needs of all users and comprise a full range of path types, which will include:

- natural grass and beaten earth paths through fields, woods and along riverbanks, etc;
- surfaced paths and tracks, towpaths, etc;
- farm and forestry tracks;
- waterways with launching points; and
- quiet minor roads and pavements for certain stretches if required.

Core Paths will also be signed at key access points and be as barrier free as possible.

The majority of the paths identified in this Plan will be able to accommodate a wide range of responsible users, but not all of them will be suitable for use by everyone, as some paths contain natural barriers, such as steep slopes which will restrict the responsible use of them by different types of user.

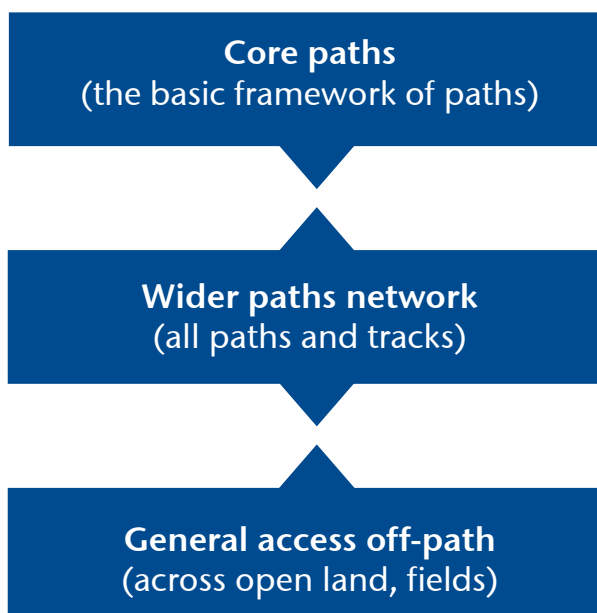
However, it is anticipated that over time the quality and standard of all of the paths and routes within the Core Paths Network will be improved as and when funding becomes available.



The relationship between the core path network and the wider path network

The Core Paths Network will coexist, link into and support a wider network of paths and all other areas of land and inland water over which access rights are applicable.

The Paths for All Partnership's 'Core Path Plan – A guide to good practice' envisages access rights operating across three overlapping levels:



Identifying the draft core paths plan

This plan was identified through two rounds of extensive consultation with local communities, user groups, landowners, public agencies and key services and departments within North Lanarkshire Council.

The following few paragraphs briefly describe the programme of consultations, which were undertaken and explain how the outcomes of these consultations informed and shaped the development of the Core Paths Plan. The programme was guided by the Access Steering Group comprising of council officers from Environmental Services and external partners - the Central Scotland Forest Trust, Scottish Natural Heritage and the Paths for All Partnership.

First round consultations September 2006 – June 2007

In summer 2006, North Lanarkshire Council commissioned Land Use Consultants (LUC) to undertake a consultation, which would be used to inform the development of both the Proposed and Draft Core Paths Plan.

The First Round of consultations aimed to identify and record:

- the routes which people used and valued most;
- where there were problems with access;
- where people would like to go in the future.

This first round of consultations comprised of 5 principal stages:

- Stage 1 – Literature Review;
- Stage 2 – Strategic Consultation;
- Stage 3 – Initial Stakeholder Consultation;
- Stage 4 – Public Consultation;
- Stage 5 – Synthesis and Evaluation.

Second round consultations 10th September – 2nd November 2007

The second round of consultations aimed to:

- verify that the information gathered in the first round of consultations had been recorded correctly;
- allow people the opportunity to view and comment on a proposed Core Paths Plan.

The second round of consultations comprised of 3 principal stages:

- Stage 1 – Producing and Publicising the Proposed Core Paths Plan
- Stage 2 – Public and Internal Consultation
- Stage 3 – Synthesis and evaluation



Core paths plan criteria

Each route that was identified through both the first and second round of consultations was evaluated against a set of criteria (shown below).

The criteria were developed following two workshop sessions with the Access Forum Core Group to identify and agree key themes and priorities and then refined to bring them in line with the guidance produced by the Scottish Executive, Scottish Natural Heritage and the Paths for All Partnership.

Criteria:

- Is the route off road?
- Is the route close to where people live?
- Does the route link to the wider network?
- Does the route provide a connection between communities?
- Does the route provide cross-border links?
- Is it part of a circular route?
- Does the route link to attractions/destinations?
- Does the route provide a link to services?

If the route met four of these criteria then it was deemed to be an acceptable candidate for inclusion within the Proposed Core Path Plan.

Strategic Environmental Assessment (SEA)

The Environmental Assessment (Scotland) Act 2005 places a duty on North Lanarkshire Council to carry out a SEA of the Core Paths Plan to ensure that any likely significant environmental effects of the Plan are assessed during its preparation and any actual effects after its adoption.

A consultation on the Environmental Report produced as part of the SEA process was carried out in tandem with the consultation on the Draft Core Paths Plan. Comments were received from SNH, SEPA, and Historic Scotland, which have been taken into account. Following adoption of the Core Paths Plan, the SEA Environmental Report will be finalised, and a post adoptive statement will be prepared.



Relationship with other plans, strategies and policies

The Core Paths Plan supports the following key policies and strategies:

The North Lanarkshire Local Plan

The strategic importance of Core Paths is highlighted within Policy Section NBE1 (Protecting the Natural and Built Environment) of the Finalised Draft North Lanarkshire Local Plan:

“The Council will safeguard sites of importance for natural heritage and biodiversity from development. Planning permission will not be granted for development causing any adverse impact on the International, National and Regional sites listed below [Core paths are listed as Other Sites of Importance]. Planning permission will only be granted for proposals potentially affecting Local and Other Sites of Importance listed below if the applicant demonstrates to the Council’s satisfaction that there will be no adverse impact or that any impacts can be mitigated in environmental terms relevant to the impact. The Council will follow advice of statutory consultees in respect of issues of impact.”

The North Lanarkshire Public Access Strategy

The Core Path Planning process supports the key themes and recommendations outlined within the Strategy by developing a framework for the involvement of local communities, land managers and user groups in the planning, implementation and management of public access.

The Strategy will shortly be reviewed and will guide improvement programmes for the Core Path Network.

Walking and Cycling Strategy

The Plan supports the core aims and objectives of the Strategy by identifying a network of routes which will encourage walking and cycling as a leisure and tourist activity in order to realise the benefits gained to health, the environment and the local economy.

The Local and Regional Transport Strategies

The Plan will help deliver the Strategies’ outcomes by improving connectivity, providing access for all opportunities, supporting healthier and sustainable modes of transport and reducing people’s dependence on the car and the impact of climate change.

The Community Plan

The Core Paths Plan helps to deliver a number of the Community Plan’s cross cutting themes and issues by ensuring that access to the outdoors is enhanced given its potential contribution to people’s mental and physical wellbeing.

