

Report

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Report to:	Community Services Committee
Date of Meeting:	30 October 2012
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	South Lanarkshire Core Path Plan
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ provide a progress statement on the development of the South Lanarkshire Core Path Plan

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the South Lanarkshire Core Path Plan, as amended by Scottish Ministers, be adopted

3. Background

3.1. As required by section 17(3) of the Land Reform (Scotland) Act (LR(S)A) the aim of the Plan is to identify a network of Core Paths 'sufficient for the purpose of giving the public reasonable access throughout the area'. The identified network should be suitable for use by walkers, cyclists, horse riders and those wishing to take non-motorised access to inland water for recreational use and passage. Not all components of the network need to meet the needs of all categories of user. It is important to note that the system of Core Paths does not restrict the public from taking responsible access on other paths and tracks or over other land to which access rights apply. Similarly, the status of recognised Rights of Way and other important / promoted routes which are not identified as components of the core paths system is not prejudiced by the Plan.

3.2. The meeting of the Community Resources Committee on 28 September 2010 approved the final consultative draft version of the South Lanarkshire Core Path Plan, the statutory consultation arrangements for the Plan and a recommendation that, if required, the Plan should be submitted to Scottish Ministers for approval.

4. Update on the Development of the South Lanarkshire Core Path Plan

4.1. As detailed in the previous committee report a substantial amount of consultation activity has been undertaken during the formulation and preparation of the South Lanarkshire Plan. This has helped inform its development and ensured that, as far as considered reasonable, concerns regarding either the sufficiency of the proposed Core Paths network or the alignment of specific routes were addressed. Nonetheless, following publication of the finalised draft Plan and completion of the statutory public consultation process 178 valid objections from 142 individuals or businesses relating to 22 candidate Core Paths were received by the Council. Of

these 133 related to a single route (a section of the Clyde Walkway at Kirkfieldbank). As a consequence and as required under the provisions of section 18(4) of the Act, in March 2011 the Plan was referred on to the Scottish Governments Directorate of Planning and Environmental Appeals (DPEA) for determination.

- 4.2. A Reporter from the DPEA was appointed to undertake a Local Inquiry to consider the unresolved representations and make recommendations for consideration by Scottish Ministers. The inquiry took the form of written submissions and unaccompanied site visits by the Reporter.
- 4.3. The Council has now received notification that following consideration of the Plan and the various issues relating to the representations made, that Scottish Ministers had accepted the conclusions and recommendations of the Reporter and that South Lanarkshire Council are directed to adopt the Core Paths Plan in line with the recommendations in the Inquiry Report.
- 4.4. No representations were received during the statutory consultation phase regarding the 'sufficiency' of the proposed network, one of the tests applied by the Reporter in reaching his conclusions and recommendations. It can therefore be taken that the network of identified Core Paths is considered to provide a network 'sufficient for the purpose of giving the public reasonable access throughout the area'.
- 4.5. A copy of the inquiry report and the Core Path Plan are available in the Members' area.

5. Employee Implications

- 5.1. Publication of the Plan can be accommodated from within existing Facilities, Fleet and Grounds Services staff resources.

6. Financial Implications

- 6.1. The Financial implications relative to the Core Path Plan will be supported through the existing revenue budgets of Facilities, Fleet and Grounds Services.

7. Other Implications

- 7.1. As part of the preparation of the final consultative draft Core Path Plan and in accordance with the requirements of the Environmental Assessment (Scotland) Act 2005 a Strategic Environmental Assessment Environment Report has been prepared to accompany the Plan.
- 7.2. There are no significant risks associated with this proposal.
- 7.3. The Core Path Plan will be a material consideration in the determination of planning applications and will be referred to in future South Lanarkshire Local Development Plans and Supplementary Planning Guidance.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. The finalised draft version of the Core Paths Plan (October 2010) was submitted for Equalities Impact Assessment.
- 8.2. There is no requirement to undertake any further consultation in terms of the information contained in this report.

Colin McDowall

Executive Director (Community and Enterprise Resources)

3 October 2012

Link(s) to Council Objectives/Values/Improvement Themes

- ◆ Improve the quality of the physical environment
- ◆ Improve health and increase physical activity

Previous References

- ◆ Community Resources Committee 28 September 2010 - South Lanarkshire Core Path Plan (Final Consultative Draft)
- ◆ Community Resources Committee 3 February 2009 - South Lanarkshire Core Path Plan (Stage 2 Consultation)

List of Background Papers

- ◆ Report to Scottish Ministers by Richard Bowden (Reporter) 19 June 2012
- ◆ South Lanarkshire Core Path Plan – Final Consultative Draft January 2010

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:- Simon Pilpel, Landscape and Access Development Manager

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