

# Report

8

Report to:	<b>Community Resources Committee</b>
Date of Meeting:	<b>3 February 2009</b>
Report by:	<b>Executive Director (Community Resources)</b>

Subject:	<b>Draft South Lanarkshire Council Core Path Plan</b>
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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 Draft South Lanarkshire Core Path Plan.

## 2. Recommendation(s)

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

- (1) that the draft Core Path Plan and the consultation arrangements proposed be approved.

## 3. Background

- 3.1. The provisions of the Land Reform (Scotland) Act 2003 requires all Councils and National Park Authorities to prepare a draft Core Path Plan, the purpose of which is to identify a network of outdoor access routes suitable for use by walkers, cyclists, horse riders and those wishing to take non motorised access to water (rivers, lochs, reservoirs) for the purposes of recreation and passage.
- 3.2. The legislation requires that a Core Path Plan should provide a basic framework of routes sufficient for the purpose of giving the public reasonable access throughout their area. This basic framework of routes will link into, and support, wider networks of other paths.
- 3.3. Assistance towards the creation of the Core Path Plan has been provided through the Land Reform Act. Moreover, additional supplementary guidance and information has been given to ensure a consistent approach is adopted in the preparation of the Core Path Plan. This guidance and information is contained within four documents.
- ◆ 'The Scottish Outdoor Access Code', which accompanies the Act, provides detailed guidance on responsible activity in relation to the access rights on core paths and elsewhere.
  - ◆ Scottish Government - 'Guidance for Local Authorities and National Park Authorities', which includes sections relating to the duties and powers over core paths.

- ◆ 'A Good Practice Guide to Core Path Plans' prepared by the Paths for All Partnership and Scottish Natural Heritage provides detailed advice on preparing the plan including consultation procedures and managing the adoption process.
- ◆ Scottish Government – 'Code of Practice for Local Enquiries into Core Path Plans and Other Enquiries under Part One of the Land Reform Act'.

#### **4. Development of the Lanarkshire Core Path Plan**

4.1. Following enactment of the Land Reform Act, South Lanarkshire Council started the process of developing its draft Core Path Plan. Our approach has been to invest a considerable amount of time and effort in carrying out an extensive programme of community consultation (known as stage 1 consultation) to help collect local information and knowledge on access routes and gauge community aspirations for outdoor access. In all, some seventy separate consultative events have occurred throughout the authority and the information secured has assisted in the development of the draft Core Path Plan.

4.2. The draft Plan is available in the Members' areas.

#### **5. Consultation Timetable and Adoption Process**

5.1. In accordance with established best practice it is proposed to run a second round of community consultation during which feedback will be sought on the content of the draft Core Path Plan. It is intended to advertise the draft Core Path Plan in the local media and disseminate information to members of the South Lanarkshire Access Forum and appropriate agencies. The draft Core Path Plan will also be available for viewing and comment on the Council's web site. This second stage 'informal' consultation process will take place during February 2009. Feedback and comments received from the stage 2 consultation will be used to further inform the preparation of the formal draft Core Path Plan, which will be presented to Committee by the end of March 2009.

5.2. Following the presentation of the draft Core Path Plan to Committee a statutory consultation period of twelve weeks will occur which will allow formal representation to be made either on the specific aspect of the plan or on the grounds of the sufficiency of the core path network. In the circumstance where a formal valid objection cannot be resolved or is not withdrawn, the Authority should not adopt their Core Path Plan (unless directly approved by Scottish Ministers). A product of an objection may be the provision of a local enquiry. Given this possible outcome, it is preferable to resolve any issues prior to this statutory consultation stage.

#### **6. Employee Implications**

6.1. The consultation activity can be accommodated from within existing Facilities and Cultural Services staff resources. In the event that a local public enquiry is required further specialist support will be required from other Council services, notably Legal Services and Enterprise Resources. In these circumstances, a further report would be brought forward for consideration by the Committee.

#### **7. Financial Implications**

7.1. At the present time the cost associated with the preparation of the draft Core Path Plan can be accommodated from within existing budgets. Any additional cost associated with holding a local enquiry would be subject to further consideration.

## **8. Other Implications**

- 8.1. As part of the preparation of the draft Core Path Plan and in accordance with the requirements of the Environmental Assessment (Scotland) Act 2005, screening and scoping reports have been submitted to the Government's Strategic Environmental Assessment Gateway and consultation authorities. It is confirmed that an environmental report is required for the draft Core Path Plan and this will be prepared as part of the formal adoption process.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. Screening and scoping reports on behalf of the draft Core Path Plan have already been submitted for consideration to the Government's Strategic Environmental Assessment Framework.
- 9.2. Consultation with local communities has been outlined in section 5.1 and 5.2 of the report.

**Norrie Anderson**  
**Executive Director (Community Resources)**

22 December 2008

### **Link(s) to Council Objectives and Values**

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

### **Previous References**

- ◆ Enterprise Resources Committee 19 March 2003 – South Lanarkshire Outdoor Access Strategy, Access Forum and Core Path Plan
- ◆ Enterprise Resources Committee 16 November 2005 – South Lanarkshire Core Path Plan

### **List of Background Papers**

None

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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