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Dear Martin Dean,

Clackmannanshire Core Paths Plan – Mill Glen to Ben Cleuch

I understand that the Council propose not to include this route as a core path in the Plan and that Friends of the Ochils and the Local Access Forum concur. As Ben Cleuch is a popular 'front-line' hill, I think the path should be included, but in the circumstances, I am not submitting a formal objection, merely comments on the merits on the path for inclusion and on its management. I hope that these comments may be of some use, particularly if there is a nation-wide review in the light of the wide variations of approach by local authorities. (eg. Loch Lomond & the Trossachs National Park propose Ben Lomond and the Cobbler, and Perth and Kinross propose Ben Vrackie and Schiehallion.)

The merits of including the path from Mill Glen over the Law to Ben Cleuch as a core path

(1) The route is intensely popular with hillwalkers from the locality and from as far away as Edinburgh and Glasgow. It is perhaps the most popular route in all the Ochils. Its inclusion would therefore help 'provide for all forms of recreational access' (page 40 of the Government Guidance for Local Authorities'). It 'can be used by visitors and tourists' (page 41) and it connects to a place of interest where demand is high (page 42). As the highest point in the Ochils, Ben Cleuch is semi-'iconic' and a clear destination and target for many walkers.

(2) Many would claim that the path ought to have a right of way status, but it could hardly qualify under Scots Law. Page 42 of the 'Guidance' says 'It may be that where a right of way is "claimed" but not fully recognised or asserted as such, its designation as a core path would be the simpler way to establish and recognise the path's status.'

(3) Page 43 of the 'Guidance' states '... it is clear that core paths networks are not to be restricted only to constructed or surfaced paths, but are intended to include the full range of path types' and 'a path may have natural limitations arising from the inherent characteristics of the terrain and such natural limitations should not preclude its designation as a core path'. However, there are some minor non-natural limitations in the form of worsening erosion through heavy use which need to be addressed in any event, and core path status may assist in this.

(4) Section 19 of the Land Reform (Scotland) Act 2003 confers on local authorities the power to maintain core paths. This could help management of the path in 3 ways:-

(i) There may well be no problem with the present landowner in obtaining permission and access for pathwork and maintenance, but the formal right must be a help in forward planning, if only as a fallback.

(i) It might help secure European, Government and charitable funding for pathwork if their investment is secured by a formal right to maintain the work.

(iii) Core path status may be used as leverage for funding as against other paths. On page 57 of the 'Guidance', under 'Maintenance responsibilities' it says 'For the network of core paths to remain welcoming and functional and to protect the investment put into them, it is important that the network is properly managed and maintained.'

Management of the Path

I have been a frequent visitor to Ben Cleuch for over 20 years. Initially, this was my normal route, but now for some years I have used other routes, eg. over Wood Hill or up from Glen Sherrup via Tarmangie. On descending the route recently, I was therefore dismayed to see that the erosion had become much worse. I did not take photos or notes but my recollections may be of some use. Starting at Mill Glen –

(1) The way down the sloping rock to the footbridge from the top of the concreted Mill Glen path has spread out and become worn and potentially dangerous. The best line is not clear from above – it should be made safe, and diversions blocked if possible.

(2) The initial easy little scramble on rough clean rock should be retained for its interest.

(3) The steep, gullied section above this requires some stone pitching and drains to shed storm water over the sides of the ridge crest.

(4) The pockets or pigeon-holes cut by boots into the steeper parts of the grass slope are generally holding well, but where they are beginning to collapse and erosion gullies are forming, pre-emptive work is required. For this problem the National Trust North Lakes Footpath Team have devised a 'light touch' technique of repair, namely by roughening, in-filling and grass-seeding, with temporary protection (eg. a continuous chicken-wire 'cloche' supported by arched willow rods as supplied for basket-making).

(5) There is at least one other short section of serious erosion - by the large isolated boulder - where some stone-pitching is required.

(6) There are some very wet sections beginning to braid eg. in the dip beyond the Law and near the summit of Ben Cleuch. On wet heathland above Belfast, the National Trust have used 'Ecogrid', a recycled plastic product of honeycomb slabs 30 cms square which are clipped together and laid directly on the surface. This protects the surface and allows mosses and grasses to grow through. You might consider a short experimental section of this. I am sure that both of the National Trust teams would be happy to advise.

Note: I am a long-serving member of the Access & Conservation Committee of the Mountaineering Council of Scotland, and a volunteer upland path inspector for the MCoFS and the Upland Path Trust, and I have published a number of reports from 1996 onwards. However, I must stress that my comments represent my personal views and are not necessarily those of MCoFS or UPT.

With best wishes for your work,

Yours sincerely,

Mike Newbury, MA, FRICS