

Clackmannanshire Council Final Draft Core Paths Plan



Consultation Period - 21st July to 13th October 2008

Welcome...

...to Clackmannanshire Council's Final Draft Core Path Plan.

The enactment of the Land Reform (Scotland) Act 2003 requires the Council to draw up a plan for a system of paths (core Paths) sufficient for the purpose of giving the public reasonable access throughout their area.

The Plan is now subject to a final 12 week formal consultation before it is adopted. Please read the Plan, look at the maps and fill in a comments sheet to give us your final opinions.

The consultation period runs from the 21st July 2008 to the 13th October 2008.

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1. Introduction

The Land Reform (Scotland) Act 2003 came into effect in February 2005 and introduced a right of non-motorised access to most land and inland water in Scotland. It placed a statutory duty on local authorities to draw up a plan for a network of paths, to be known as core paths, which would be “sufficient for the purpose of giving the public reasonable access throughout their area”.

Core Paths Plans should provide for a range of recreational access e.g. walking, cycling, horse riding, canoeing etc and cater for people with disabilities, but not all individual core paths are required to cater for every type of user. They have the potential to reduce car use, to bring health benefits to users and to attract visitors to the area.

Core paths do not have to have any sort of previous designation e.g. right of way and can comprise of a variety of different path types, ranging from natural grassy swards, to high-specification constructed paths, to satisfy the needs of all users.

2. Preparing the Core Paths Plan

A number of steps were taken in developing the Final Draft Plan, in keeping with those detailed in Core Paths Plans – A guide to good practice produced by the Paths For All Partnership and Scottish Natural Heritage.

An initial informal consultation took place between the 22nd April 2006 and the 1st July 2006, and visited 10 communities across Clackmannanshire. The purpose of this was to find out where people took, or would like to take, access. This generated a total of 353

responses, the majority coming from local walkers and dog walkers, aged 45-64, who used the existing path network on a daily basis.



A number of criteria were then identified, with the assistance of the Clackmannanshire Local Access Forum (a body that the Council has a duty to establish under the Act and which advises the local authority on matters relating to access) to help identify which paths, identified in the initial informal consultation, should become candidate core paths.

Essential criteria for a core path

- Easily accessible from where people live or links two communities
- Joins two public places – roads/pavements/rights of way/established paths/public open space. Note: It could be circular if starting and finishing from a public place
- Is unlikely to adversely impact upon biodiversity
- Where a cross-border path, there is consistency with the neighbouring authority

Desirable criteria for a core path

- Was identified in the first round of consultations and/or is a right of way/established path
- Capable of supporting multi-use i.e. is a surfaced path
- Capable of supporting all abilities use i.e. surfaced, flat or free from barriers such as steps
- Unaffected by land management issues e.g. sports pitches, golf courses, enclosed fields of crops or livestock

- Unaffected by curtilage or privacy issues e.g. farm yards, dwelling houses
- Free from significant maintenance issues – poor surface, infrastructure e.g. bridges, steps or railings
- Is likely to be used in travel to and from school or work
- Gives access to places of interest – natural and built heritage e.g. country parks, nature reserves, castles, towers
- Gives access to facilities e.g. shops
- Provides links to other paths

Candidate core paths were required to meet all relevant essential criteria and at least half of the desirable criteria.

A total of 174 paths were identified as candidate core paths, including one on water at Gartmorn Dam. Core paths on public roads were included to provide links between other core paths where there is a footway or where traffic calming measures are in, or are to be put in, place.

A second round of informal consultations then took place between the 9th October 2007 and the 29th November 2007, and visited 9 communities. The consultations were advertised on the Council Noticeboard (in the Alloa and Hillfoots Advertiser), on Clacksweb (the Council website), via e mail (to community councils, clubs, organisations and individuals), in libraries and on paths around settlements. 106 comments were received, of which 23% approved the plan, 47% approved it with exceptions and 16% did not approve it. 14% did not comment on whether they approved the Plan. These comments were posted on Clacksweb

www.clacksweb.org.uk/site/documents/countryside/commentsonconsultativedraftcorepathsplan/ and it should be noted that the comments highlighted a number of paths, not on the candidate list, that should be added.

The comments were analysed, communication/meetings held with all known landowners to discuss specific issues and with neighbouring local authorities (to ensure

continuity for routes which go to Council boundaries), and the plan amended to produce the Final Draft Plan. The maps showing the Final Draft Plan can be viewed later in this document.

The Clackmannanshire Council Final Draft Core Paths Plan has a total of 179 core paths covering a distance of 213 km/132 miles (For comparison, Stirling Council is proposing 355 km/222 miles and Falkirk Council is proposing 368 km/230 miles of core paths). Of this, 145 km/90 miles are on private land, 32 km/20 miles on Council land and 36 km/22 miles on public roads. One core path, at Gartmorn Dam, is on water.



3. Strategic Environmental Assessment

It is a Statutory requirement that a Strategic Environmental Assessment (SEA) is undertaken on the Final Draft Core Paths Plan, as per the requirements of the Environmental Assessment (Scotland) Act 2005, in order to assess the effects that the Plan could have on the environment. The Environmental Report concludes that the Plan has both positive and neutral impacts, and does not predict any significant cumulative

environmental impacts. It does propose some mitigation, suggesting signage to help protect sensitive areas from disturbance and also highlighting the need for ongoing monitoring. The Environmental Report is also required to be subjected to public consultation, which will run concurrently with the formal consultation on the Final Draft Plan.



4. Next steps

The adoption process for the Plan is set out in Section 18 of the Act. This involves publicising the Final Draft Plan and any maps, and making them available for public inspection for at least 12 weeks. Following that, the Scottish Government recommends a maximum of 12 weeks for the resolution of any formal objections to the Plan.

Should no objections be made, or any made be retracted; then the Council can move to adopt the Plan. If this is the case, then it is anticipated that the Council would adopt the Plan towards the end of 2008. Should any objections remain unresolved however, a public inquiry must be held. The Scottish Government has indicated that their preference for this is by way of written submissions. Following the Public Inquiry, the Scottish Government will provide Ministerial Direction, which may require the Plan to be amended. The Council must then adopt the Plan.

The Act requires the Council to publish the adopted Plan, which must include a list of the core paths. There is an expectation from the Scottish Government and the public that all the core paths will be signposted and usable by walkers, as a minimum, within 1-2 years of the Plan being adopted. It is proposed that information on the suitability of the individual core paths for different user types will be prepared.

5. Future review

Under section 20 of the Act, local authorities have a duty to review the core paths plan for their area, either when they consider appropriate or by virtue of Ministerial direction. Following a review, a core path can be diverted, removed or added.

6. Comments form

Should you wish to comment or object to the Plan, please complete the form on the following page and ensure we receive it before the 13th October 2008.

An electronic copy of this form is available on-line at:

<http://clacksweb.org.uk/council/forms/outdooraccess/corepathsplancommentsform/>



Draft Core Paths Plan Comments and Formal Objections

How To Comment

Please help us by adding your comments on to this form and sending it to the address below. You **MUST** include your name, address and postcode for your comments to count and ensure that we receive your final comments by **Monday 13th October 2008**. Please note that as this is the **FINAL** round of public consultation on the Draft Core Path Plan, any **FORMAL** objections may be subject to Public Inquiry to which you will be required to make representation.

1. Your Details:-

Name *

Address *

Town * Post Code *

Phone Number

E-mail

* You **must** include these details for your comments to count

2. Comments:-

If you have comments, feedback or suggestions (which are **NOT** formal objections), then please describe them below. Please be specific quoting path numbers where appropriate, and attach any separate continuation sheets as necessary.

3. Formal Objection:-

Formal objections are those that require a change to the Draft Core Paths Plan, and not for example about the condition of existing paths. Any formal objections will be subject to Public Inquiry to which you will be required to make representations.

Do you wish to make a **FORMAL** objection to the Draft Core Paths Plan? Yes No

If **YES**, please describe clearly and fully the reason for your objection below and state the changes you would like to see made to the plan. Please be specific, quoting path numbers where possible and attach a separate continuation sheet if necessary. Please note that objections cannot be dealt with confidentially.

Please return your completed form to:-
Access and Countryside Projects Officer
Development & Environmental Services
Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 1EB

mdean@clacks.gov.uk
Tel.: (01259) 450 000
Fax: (01259) 727 453

Your comments sheet must arrive no later than

Monday 13th October 2008

7. List of all proposed core paths in the Clackmannanshire Council area

The following list shows all the proposed core paths and provides an indication of the length of each in kilometres and miles. Access over water is indicated by area in hectares and acres. The total length of all proposed paths in the Clackmannanshire Council area is 213 km/132 miles.

Path Number	Length (km)	Length (miles)	Path Number	Length (km)	Length (miles)	Path Number	Length (km)	Length (miles)	Path Number	Length (km)	Length (miles)	Path Number	Length (km)	Length (miles)
1	1.42	0.88	40	2.28	1.42	79	1.09	0.68	118	1.36	0.84	157	2.22	1.38
2	0.37	0.23	41	0.53	0.33	80	0.34	0.21	119	1.21	0.75	158	0.80	0.50
3	0.57	0.35	42	1.18	0.73	81	0.47	0.29	120	1.10	0.68	159	0.52	0.33
4	0.81	0.50	43	1.01	0.63	82	1.26	0.78	121	4.80	3.00	160	1.08	0.67
5	0.83	0.52	44	1.33	0.82	83	0.50	0.31	122	Core path over water		161	0.37	0.23
6	2.61	1.62	45	1.07	0.66	84	0.60	0.38	123	0.55	0.34	162	1.03	0.64
7	0.80	0.49	46	0.16	0.10	85	1.08	0.66	124	1.33	0.83	163	1.49	0.93
8	1.00	0.62	47	1.21	0.75	86	1.30	0.81	125	0.96	0.60	164	n/a	n/a
9	0.18	0.11	48	0.97	0.60	87	0.76	0.47	126	0.80	0.49	165	2.25	1.40
10	1.33	0.83	49	2.08	1.30	88	0.65	0.40	127	0.27	0.17	166	n/a	n/a
11	0.75	0.46	50	1.08	0.67	89	0.37	0.23	128	0.59	0.36	167	n/a	n/a
12	1.59	0.99	51	n/a	n/a	90	1.60	1.00	129	1.22	0.75	168	1.55	0.97
13	0.35	0.22	52	0.34	0.21	91	0.14	0.09	130	0.83	0.52	169	1.15	0.71
14	1.22	0.76	53	0.96	0.59	92	0.66	0.41	131	1.64	1.02	170	1.28	0.79
15	0.62	0.39	54	0.47	0.29	93	1.07	0.66	132	3.12	1.94	171	0.48	0.30
16	0.40	0.25	55	2.86	1.78	94	1.48	0.92	133	1.29	0.80	172	0.47	0.29
17	0.97	0.60	56	1.28	0.79	95	0.66	0.41	134	4.83	3.00	173	1.45	0.90
18	2.21	1.37	57	2.84	1.76	96	0.52	0.32	135	2.76	1.72	174	0.82	0.50
19	1.78	1.11	58	1.21	0.75	97	0.80	0.50	136	0.19	0.12	175	0.63	0.39
20	1.83	1.14	59	1.98	1.23	98	0.50	0.31	137	0.78	0.49	176	0.50	0.31
21	0.64	0.40	60	2.08	1.29	99	0.77	0.48	138	0.87	0.54	177	1.12	0.70
22	0.40	0.25	61	1.33	0.83	100	0.91	0.57	139	2.43	1.51	178	0.92	0.57
23	2.91	1.80	62	4.44	2.75	101	2.84	1.76	140	1.00	0.62	179	0.79	0.49
24	0.84	0.52	63	1.78	1.12	102	3.00	1.87	141	0.27	0.17	180	1.03	0.64
25	0.97	0.60	64	0.35	0.22	103	0.43	0.26	142	0.76	0.48	181	2.62	1.63
26	3.21	1.99	65	0.25	0.16	104	1.10	0.69	143	1.58	0.99	182	0.20	0.12
27	1.69	1.05	66	0.77	0.48	105	0.82	0.51	144	n/a	n/a	183	0.33	0.20
28	1.53	0.64	67	0.72	0.46	106	0.79	0.49	145	0.94	0.58	184	1.60	0.99
29	0.51	0.31	68	0.82	0.51	107	0.73	0.45	146	0.37	0.23	185	0.16	0.10
30	0.96	0.59	69	1.06	0.66	108	0.77	0.48	147	0.75	0.47	Note: Paths 31, 51, 144, 164, 166 and 167 were removed from the plan during a prior stage of the consultation process.		
31	n/a	n/a	70	4.32	2.68	109	0.91	0.56	148	2.76	1.72			
32	0.93	0.57	71	0.40	0.25	110	0.34	0.21	149	1.68	1.04			
33	0.66	0.41	72	1.54	0.96	111	0.40	0.25	150	1.13	0.71			
34	0.19	0.12	73	0.14	0.08	112	0.65	0.40	151	0.19	0.12			
35	1.87	1.16	74	0.23	0.15	113	5.22	3.25	152	0.43	0.27			
36	0.23	0.14	75	0.35	0.22	114	2.29	1.42	153	0.43	0.27			
37	0.22	0.14	76	0.56	0.35	115	1.26	0.78	154	0.41	0.26			
38	1.75	1.08	77	1.61	0.99	116	1.77	1.10	155	5.14	3.19			
39	0.90	0.56	78	0.63	0.39	117	2.78	1.72	156	1.33	0.83			

Path Number	Area (ha)	Area (acres)
122	43.24	106.84



CLACKMANNANSHIRE
COUNCIL

Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Tel.: (01259) 450 000
Fax: (01259) 727 453

www.clacksweb.org.uk