

The background of the slide features a large, light blue crest of the University of Alberta. The crest is a shield divided into four quadrants. The top-left quadrant shows a building, the top-right shows a stag's head, the bottom-left shows a sailing ship, and the bottom-right shows an eagle. Above the shield is a crown with four maple leaves. Below the shield is a banner with the motto 'ANNE FOR A'.

## **Agenda Item 8**

# **Revised Core Paths Plan**

Falkirk Council

**Title:** Revised Core Paths Plan  
**Meeting:** Executive  
**Date:** 19 February 2018  
**Author:** Director of Development Services

**1. Purpose of Report**

- 1.1 The Council's Core Paths Plan was adopted in 2010. There is a legislative requirement to periodically review the Core Paths Plan. A Revised Core Paths Plan (draft) has been prepared (see appendix 3) and Executive approval is sought to commence formal consultation.

**2. Recommendations**

**2.1 It is recommended that the Executive:**

- (1) approves the Revised Core Paths Plan (draft) and the criteria used to identify core paths (shown at table 2) for consultation;**
- (2) delegate authority to the Director of Development Services to finalise the draft plan if no significant objections are received during the public consultation; and**
- (3) receive a further report on the draft plan, if significant objections are raised during the public consultation.**

**3. Background**

- 3.1 Part 1 of the Land Reform (Scotland) Act 2003 gives everyone a right of responsible access to most land and inland water in Scotland. This Act also places a duty on all local authorities to prepare a Core Paths Plan and review it periodically. This is Falkirk Council's first review since adopting the current plan in May 2010.
- 3.2 The Core Paths Plan identifies a network of paths and waterways that gives people reasonable (non-motorised) access throughout the Falkirk Council area. Although the network should provide for a range of recreational access – *walking, cycling, horse riding, canoeing, etc.* – and for all abilities of use, not every individual core path caters for every type of user. This network forms the basic system of paths in the Falkirk Council area. These link into the wider path network and connect with paths in neighbouring council areas.
- 3.3 Falkirk Council's network of core paths has emerged and developed through extensive consultation with local communities, landowners and other key agencies and organisations. This review takes into account the development of the network since 2010.

- 3.4 The path network in the Council area has grown significantly since 2010. Between 2014 and 2018 over £6M was secured for investment in it. Table 1 below shows this growth over the period of the current plan.

**Table 1: The path network**

Year	Length of Maintained Path Network	Length of Core Path Network	Length of Total Path Network
2010	239km	387km	431km
2018	509km	471km	617km

- 3.5 Consequently a number of new routes are now considered worthy of Core Path designation.

#### **4. Methodology**

- 4.1 This review has used a set of criteria developed by the Falkirk Area Access Forum to help determine which paths should be identified as Core Paths. To be identified as such, a path must meet 3 or more of these criteria. Other routes are part of the wider path network or fall within general access rights. These criteria are shown in table 2 below.

**Table 2: Criteria for the identification of Core Paths**

Criterion	Description
1	Is the path fit for multi-use?
2	Does it create or enhance routes, preferably loops, in and around settlements and centres of population?
3	Does the route allow people access to, and appreciation of visitor attractions historic or natural heritage sites?
4	Does it contribute to the network of routes of varying lengths around settlements/attractions?
5	Does the path help create links between settlements, facilities (e.g. shops, banks, schools), transport links and attractions?

- 4.2 The criteria were originally approved by the Environment & Heritage Committee on 11<sup>th</sup> April 2006 and used as the basis for the identification of Core Paths in the Council's first Core Path Plan. At a meeting of the Falkirk Area Access Forum on 8<sup>th</sup> March 2018 these same criteria were agreed as an appropriate basis moving forward.
- 4.3 The review has identified 128 potential new Core Paths which meet the eligibility threshold and it is proposed that these are added to the revised plan. The review has also identified 10 Core Paths which, it is proposed, should be deleted and realigned. Once all proposed additions, deletions and realignments have been taken into account, the changes proposed in the draft equate to over 84 km of additional routes across the path network.

## 5. Consultation

- 5.1 The Falkirk Area Access Forum (whose members are detailed at appendix 1 of this report) was consulted on the results of our review between March and June 2018 and they have endorsed the contents of the draft plan.
- 5.2 To make sure a wide range of interested parties have a chance to comment on the proposals, subject to Executive approval, a 12-week formal consultation will take place between March and May 2019. Full details of the proposals for consultation are detailed at appendix 2 of this report.
- 5.3 Objections and representations are invited in relation to the proposed amendments to Core Paths Plan as a whole. The adopted Core Paths Plan was considered by Scottish Government Reporters at public inquiry and so the existing plan is considered to be robust. Whilst consultation will be carried out on the whole Revised Core Path Plan (draft), and comment welcomed, formal objections will therefore only be considered as valid if they relate to:
- proposals for new Core Paths
  - proposals for new Core Paths not identified
  - proposals for realigned Core Paths
  - proposals for the deletion of Core Paths
- 5.4 Any proposals that come forward for the inclusion of new paths not identified in Appendix 3 will be assessed against the five criteria for a core path highlighted in paragraph 4.1 above. If it is agreed that a new Core Path should be designated then re-consultation will take place on that proposal alone.

## 6. Next Steps

- 6.1 At the end of the consultation period officers will collate and review all representations. Officers will use the results of the formal consultation to produce a finalised Core Paths Plan for approval under delegated powers or referral to the next available meeting of the Executive.
- 6.3 Ultimately, the formal procedures involved afford objectors the opportunity to appear at public inquiry, where valid objections remain unresolved. If a public inquiry is not necessary then it is anticipated that the Finalised Falkirk Council Core Paths Plan will be adopted in early 2020.
- 6.4 The next stages of the review process and approximate timetable are:

March-May 2019	12 week formal consultation
June-July 2019	Analyse the representations and objections
June-Sept 2019	Resolve objections where possible
Sept 2019-	Public Inquiry (if necessary)
Sept 2019- *	Ministerial Direction
December 2019*	Present revised Core Paths Plan to the Executive for approval if required
2019/20*	Adopt revised Core Paths Plan

\* subject to there being no Public Inquiry

## **7. Implications**

### **Financial**

- 7.1 The costs of carrying out the Core Paths Planning process will continue to be met through existing council budgets. If a Public Inquiry is necessary then this will have financial implications, although the scale of cost will be dependent on the range of issues to be considered at the Inquiry.
- 7.2 Whilst section 19 of the Land Reform (Scotland) Act 2003 gives Falkirk Council the power to do anything it considers as appropriate to maintain a core path, there is no statutory duty or obligation for it to do so, therefore, there is no automatic increase in maintenance costs as a result of increasing the overall size of the Core Path network.

### **Resources**

- 7.2 Existing personnel will carry out the Core Paths Planning process. Assistance from the council's Legal Services team has also been required in this process and further involvement will be required if a Public Inquiry is eventually held.

### **Legal**

- 7.3 Section 20 of the Land Reform (Scotland) Act 2003 requires Falkirk Council to review its Core Paths Plan at such times as they consider it appropriate.

### **Risk**

- 7.4 There are no risks associated with the Revised Core Paths Plan (draft) provided the process described above is completed.

### **Equalities**

- 7.5 The implementation of the Revised Core Path Plan (draft) will have an impact on people so a full Equality and Poverty Impact Assessment is required. This will be carried out before a finalised Core Path Plan is presented back to the Executive for approval.

### **Sustainability/Environmental Impact:**

- 7.6 The Core Paths Plan review process affects only the legal designation of existing paths, it does not propose the physical creation of new paths nor their removal. The implementation of the Revised Core Path Plan (draft) will therefore have no environmental effects.

## **8 Conclusions**

- 8.1 There is a statutory requirement for Falkirk Council to review its Core Paths Plan which was adopted in 2010. Executive approval of the Revised Core Paths Plan (draft) for consultation will allow officers to embark on a formal 12 week consultation process. Following consultation, a finalised Core Paths Plan will be presented to the Executive for approval.

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### **Appendices**

Appendix 1: Falkirk Area Access Forum Members

Appendix 2: Proposals for Consultation

Appendix 3: Revised Core Paths Plan (draft)

### **List of Background Papers:**

- Falkirk Council Core Paths Plan May 2010
- Land Reform (Scotland) Act 2003
- Scottish Government Part 1 Land Reform (Scotland) Act 2003 Guidance for Local Authorities and National Park Authorities
- Minutes of the Falkirk Area Access Forum – 8<sup>th</sup> March 2018

## **Appendix 1: Falkirk Area Access Forum Members**

Falkirk Council has worked closely with the Falkirk Area Access Forum to identify access opportunities, improve the standards on the existing network and to develop the path network. The Access Forum is an informal group of organisations and community groups with an interest in outdoor access and has played a key role in reviewing the Core Paths Plan. The forum membership currently includes representatives from:

- Callendar Estate Trust
- Central Scotland Green Network Trust
- Community representatives
- Falkirk Area Riders Access Group
- Forestry Commission Scotland
- National Farmers Union of Scotland
- Ramblers Association Scotland
- Scottish Rights of Way and Access Society
- Health Walk Leaders
- Falkirk Community Trust

Advisory Members:

- Falkirk Council

## **Appendix 2: Proposals for Consultation**

The Revised Core Paths Plan (draft) will be made available on the Council's website and comments will be invited between March and May 2019 via the Council's consultation hub.

The Revised Core Paths Plan (draft) and associated paper comments forms will be available at the following venues between March and May 2019:

### Library Locations

- Bo'ness Library
- Bonnybridge Library
- Denny Library
- Falkirk Library
- Grangemouth Library
- Larbert Library
- Slamannan Library
- Meadowbank Library

### Council Office Locations

- Municipal Buildings, Falkirk
- Falkirk Stadium, Westfield
- Municipal Buildings, Grangemouth
- Abbotsford House, Bainsford

### Support Hubs and One Stop Shops

- Bo'ness Support Hub
- Callendar Square-Falkirk One Stop Shop
- Carronbank House
- Denny One Stop Shop
- Dawson Neighbourhood Office
- Grangemouth One Stop Shop
- Stenhousemuir One Stop Shop

### Community Education Centres

- Bonnybridge Community Education Centre
- Camelon Community Project
- Dawson Centre
- Denny Community Education Centre
- Grange Community Education Centre
- Grangemouth Community Education Unit
- Greenpark Community Education Centre



- Kersiebank Community Project
- Maddiston Community Education Centre
- Shieldhill Community Wing
- Slamannan Community Education Centre
- Tryst Community Education Centre
- Westfield Community Project
- Westquarter Community Project