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ENVIRONMENT COMMITTEEENVIRONMENT SERVICES

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11 MAY 2006

NOT EXEMPT

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**THE LAND REFORM (SCOTLAND) ACT 2003  
STIRLING COUNCIL CORE PATHS PLAN**

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**1 PURPOSE**

- 1.1 To inform Members of the progress made towards the development of a Core Paths Plan for the Stirling Council area, excluding the Loch Lomond and the Trossachs National Park, and to seek agreement on the recommended way forward.

**2 SUMMARY**

- 2.1 Part one of the Land Reform (Scotland) Act 2003 (the Act) grants a general right of access to all land in Scotland subject to a limited number of exceptions. It also introduces the concept of core paths and the duty of producing a Core Paths Plan.
- 2.2 In reality this is nothing new for Stirling Council as the Countryside Service has been running the Community Paths Project, which worked with individual communities to develop their own networks of paths, since 1998.
- 2.3 The results from the Community Paths Project have been used as the basis of the first version of the Core Paths Plan. In addition awareness raising on the core path planning process has been carried out through press articles, letters and a dedicated section of the Council's website. Peoples' views on paths and countryside access are also being sought through a dedicated questionnaire, which is available in both hard copy and online.
- 2.4 A Strategic Environmental Assessment screening report has been produced and submitted to the Consultation Authorities for their opinions.
- 2.5 It is now proposed to take the first version of the draft Core Paths Plan out to public consultation via community meetings, placing copies in public libraries, local offices and placing it on the Council website. All proposed core paths will be surveyed, works identified and costed for inclusion in the draft Core Paths Plan that will be presented to Committee in November 2007.

### **3 RECOMMENDATION(S)**

- 3.1 That Members note the progress made so far and agree to the proposed way forward for the production of the Core Paths Plan for the Stirling Council area excluding the Loch Lomond and the Trossachs National Park.

### **4 CONSIDERATIONS**

#### **Background**

- 4.1 Part One of the Land Reform (Scotland) Act 2003 (the Act) grants a general right of access to all land in Scotland subject to a limited number of exceptions. It also introduces the concept of core paths and the production of a Core Path Plan that must be completed, in draft form, by 9 February 2008.
- 4.2 The Act provides a wide definition of what a core path can be. Any existing right of way, path or track however created along with waterways "... any other means by which persons may cross land" can be designated as core paths. The Core Paths Plan is simply a record of what the core paths are for an area.
- 4.3 All routes identified as core paths will immediately become core paths once the Core Paths Plan is adopted. There is no legal duty to carry out work to make them usable or to maintain them. However, the Council does have power to maintain core paths and it is the expectation of the Scottish Executive and the public that they will be adequately managed and maintained.
- 4.4 Stirling Council Countryside Service has adopted the Guidance in the Paths for All Partnership's 'Core Paths Plans A Good Practice Guide'. More detail on this is contained in background paper 8.2 below.

#### **Producing the Stirling Council Core Paths Plan**

- 4.5 In reality the production of a Core Paths Plan is nothing new for Stirling Council. Since 1998 Stirling Council Countryside Service has been running the Community Paths Project, which worked with individual communities to develop their own networks of paths. The project finally concluded in March 2006 with the consultation of the newly established Carron Valley Community Council.
- 4.6 Each community was asked to identify where they walk, horse ride or cycle, where they would like to go and what problems exist. From that an action plan was developed, routes improved and a leaflet produced. Each community is at a different stage in the process.
- 4.7 As the process used is the same as the Paths for All Partnerships recommended 'first round of informal consultations', the 3,500 miles of path identified by the Community Paths project is been used as the basis for the first version of the Core Path Plan.

#### **Awareness Raising**

- 4.8 To raise peoples' awareness to the core paths planning process the Countryside Service have placed an advert in the Council Tax Year Planner and Stirling Focus. Every Community Council has been written to in order to inform them of the process and to give them an indication of when their area will be consulted on the draft Core Paths Plan.

- 4.9 A standard presentation has been prepared and has been offered to all Community Councils and any other organisations. The Countryside Service section of the Council website now has a section dedicated to the Core Paths Plan.
- 4.10 To ascertain what is important to people in terms of paths and countryside access a questionnaire has been produced for completion by interested parties. This has been distributed to all members of the Stirling Sounding Board, over 100 other individuals and is available in an online version on the website.

### **Strategic Environmental Assessment**

- 4.11 It is not clear whether the Core Paths Plan falls within the scope of the various environment protection acts and regulations. A screening process has therefore been undertaken (see Appendix 1) and the Countryside Service believe that a full assessment is unnecessary.
- 4.12 A copy of the screening report was submitted to the Consultation Authorities on 5 April 2006 and responses are due by 5 May 2006. A verbal update on the views of the Consultation Authorities will be given at the meeting.

### **Next Steps**

- 4.13 There are 21 months left in which to prepare the draft Stirling Council Core Paths Plan. Between April and June this year the Countryside Service are carrying out a preliminary assessment of all the information collected to date and developing the first version of the plan.
- 4.14 Between July 2006 and September 2007 the Countryside Service will be consulting every Community Council area on the first version of the plan (timetable at Appendix 2). In addition to drop-in sessions, copies of the plan will be available at local offices and libraries. We hope to also make the plan available on line.
- 4.15 There are six Community Council areas that are shared with the Loch Lomond and Trossachs National Park. As the settlements lie within the National Park, the Park will identify the proposed core paths and the Countryside Service will arrange the community consultations. The meetings will be staffed jointly by a Countryside Ranger and an Access Officer from both organisations.
- 4.16 During late 2006 and most of 2007 a ground survey of all the proposed core paths will be carried out to establish exactly what work is required to make them usable. The result will be used to produce a costed work plan as an annex to the Core Paths Plan.
- 4.17 Throughout the entire process a close liaison will be maintained with the Stirling Area Local Access Forum to ensure that the combined expertise of the group can be used to develop the best plan for the Stirling Council area outwith the National Park.
- 4.18 It is anticipated that the draft Stirling Council Core Paths Plan will be presented to Committee in November 2007.

## **5 POLICY IMPLICATIONS**

- 5.1 The procedure is in accord with the Council's Policy on promoting local democracy and community leadership by providing an opportunity for people to directly contribute to the development of the core paths network.
- 5.2 It is also in accord with the Council's promoting social inclusion policy by allowing anybody with an interest in core paths to express their opinions.
- 5.3 It supports the Council's Sustainability aim by ensuring an appropriate network of paths is proposed that the public want and will use, helping to reduce reliance on the private car for some journeys.
- 5.4 It helps deliver the aim of developing quality and best value by providing an opportunity for the public to ensure what the Council provides is what they want, thus reducing waste.

## **6 CONSULTATIONS**

- 6.1 Representatives from all Council Services were consulted in June 2005. From that meeting this approach has been developed.

## **7 RESOURCE IMPLICATIONS**

- 7.1 Discussions with Planning and Regulatory Functions has indicated that production of the Core Path Plan could cost £50,000 excluding staff time.

## **8 BACKGROUND PAPERS**

- 8.1 The Land Reform (Scotland) Act 2003: Part One Access Rights and Its Implications for Stirling Council, Environment Committee 26 August 2004.
- 8.2 The Land Reform (Scotland) Act 2003 – Preparation of the Core Paths Plan. Planning Schedule 18 May 2005.

Author(s)

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Donald Balsillie	Countryside Service Manager	01786 442750

Approved by

Name	Designation	Signature
Jim Brown	Interim Director of Environment Services	

Date 13 April 2006

Reference REP675EC

## Strategic Environmental Assessment Screening Report

**SEA SCREENING REPORT – COVER NOTE****COVER NOTE – SECTION****TO: [SEA.GATEWAY@SCOTLAND.GSI.GOV.UK](mailto:SEA.GATEWAY@SCOTLAND.GSI.GOV.UK)**

William Carlin, SEA Gateway Manager  
SEA Gateway  
Scottish Executive  
Area 1 H (Bridge)  
Victoria Quay  
Edinburgh, EH6 6QQ

**COVER NOTE – SECTION 1**

An SEA screening report is attached for the plan/programme entitled:

**STIRLING COUNCIL CORE PATH PLAN**

The Responsible Authority is:-

**STIRLING COUNCIL****COMPLETE SECTION 3 OR 4 OR 5**

**COVER NOTE – SECTION 3**

Screening is required because the plan/programme falls under Regulation 9© or Regulation 10 of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004. Our view is that:-

**An SEA is required** because the plan/programme is likely to have significant environmental effects

Or

**An SEA is not required** because the plan/programme is unlikely to have any significant environmental effects

**COVER NOTE – SECTION 4**

The plan/programme does not require an SEA under the Regulations. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.

**COVER NOTE – SECTION 5**

None of the above apply. We have prepared this screening report because:-

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.....  
.....

**SEA SCREENING REPORT – COVER NOTE (CONTINUED)**

**COVER NOTE – SECTION 6**

**CONTACT NAME:**

Richard Barron

**JOB TITLE:**

Senior Access Officer

**CONTACT ADDRESS:**

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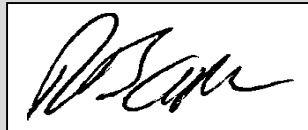
**Contact Email:**

barronr@stirling.gov.uk

**9 COVER NOTE – SECTION 7**

**Signature:**

(Electronic  
signature  
is acceptable)



**Date:**

5 April 2006

**SEA SCREENING REPORT – SECTION 1, KEY FACTS**

**Responsible Authority**

Stirling Council

**Title of Plan/Programme**

Stirling Council Core Path Plan

**Plan Purpose**

To develop a plan for a system of paths sufficient for the purposes of giving the public reasonable access throughout their area

**What prompted the plan (eg a legislative, regulatory or administrative provision?)**

Prompted by Section 17 of the Land Reform (Scotland) Act 2003

**Plan Subject (eg transport)**

Transport, tourism, land use, core path development

**Period covered by plan**

2008 on

**Frequency of plan updates**

No fixed term set

**Plan Area (eg sq KMs)**

1,074.84 sq km

**Summary of nature/ Content of plan**

The plan will highlight the character and extent of core paths that provide a basic network by which the public can exercise their right under the Land Reform (Scotland) Act 2003. The routes are mix of land based and water based, lowland and upland. surfaced and unsurfaced paths. The plan also identifies the work required to bring the network into a usable condition.

**Are there any proposed plan objectives**

YES

NO

**Copy of objectives attached**

YES

NO

**DATE**

5 April 2006

**SEA SCREENING REPORT – SECTION 2  
CONSIDERING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE  
ENVIRONMENT**

Our determination regarding the likely significance of effects on the environment of (insert plan title) are set out in table 1.

**TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT**

<b>TITLE OF PLAN/PROGRAMME</b>		
<b>STIRLING COUNCIL CORE PATH PLAN</b>		
<b>RESPONSIBLE AUTHORITY</b>		
<b>STIRLING COUNCIL</b>		
<b>Criteria for determining the likely significant of effects on the environment (para numbers refer to schedule 1 of the regulations)</b>	<b>Likely to have significant environmental effects? YES/NO</b>	<b>Summary of significant environmental effects</b>
1(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<b>NO</b>	
1(b) the degree to which the plan or programmes influences other plans and programmes including those in a hierarchy	<b>NO</b>	
1(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	<b>NO</b>	

<b>Criteria for determining the likely significant of effects on the environment (para numbers refer to schedule 1 of the regulations)</b>	<b>Likely to have significant environmental effects? YES/NO</b>	<b>Summary of significant environmental effects</b>
1(d) environmental problems relevant to the plan or programme	<b>NO</b>	
1(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	<b>NO</b>	
2(a) the probability, duration, frequency and reversibility of the effects	<b>NO</b>	
2(b) the cumulative nature of the effects	<b>NO</b>	
2(c) transboundary nature of the effects (ie environmental effects on other EU Member States)	<b>NO</b>	
2(d) the risks to human health or the environment (for example, due to accidents)	<b>NO</b>	

Criteria for determining the likely significant of effects on the environment (para numbers refer to schedule 1 of the regulations)	Likely to have significant environmental effects? YES/NO	summary of significant environmental effects
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<b>NO</b>	
2(f) the value and vulnerability of the area likely to be affected due to-  (i) Special natural characteristics or cultural heritage;  (ii) Exceeded environmental quality standards or limit values: or  (iii) Intensive land-use	<b>NO</b>  <b>NO</b>  <b>NO</b>	
2(g) the effects on areas or landscapes which have a recognised national, community or international protection status	<b>NO</b>	

**TABLE 2 – SUMMARY**

**SUMMARY**

Over the past seven years Stirling Council has been undertaking a Community Paths Project. This has identified that people prefer to see improvements to existing paths rather than completely new routes. The project identified a total mileage of paths, the majority of which are currently in use, of nearly 3,000 miles and this will be used as the basis from which the initial set of Core Paths is chosen. Once the Core Paths Plan is adopted then all routes proposed as Core Paths immediately become core paths. Given this the routes chosen will already be on the ground or can very easily be made available.

Any adverse effects on habitats or wildlife will thus be minimised.

Our network of people counters shows that the routes that exist are very popular with people and signposting and other improvements do increase usage. Core Paths should therefore improve people's physical activity levels. However, without positive promotion and encouragement through support groups then the paths are unlikely to attract new people thus their direct impact on health will be minimal.

**SEA SCREENING REPORT – SECTION 3  
SUMMARY RECORD OF COMMENTS FROM  
THE CONSULTATION AUTHORITIES**

**TABLE 3  
SUMMARY RECORD OF COMMENTS FROM CONSULTATION AUTHORITIES**

**GUIDANCE NOTE**

It is not a requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

**TITLE OF PLAN/PROGRAMME**

**RESPONSIBLE AUTHORITY**

**DATE COMMENTS RECEIVED FROM CONSULTATION AUTHROTIES**

<b>Consultation Authority</b>	<b>Views (if known at this stage)</b>
Scottish Environment Protection Agency	Significant environmental effects – YES/NO
	If YES, note SEA topics/issues here (eg soil and water)
Scottish Natural Heritage	Significant environmental effects – YES/NO
	If YES, note SEA topics/issues here (eg flora, fauna and biodiversity)
The Scottish Ministers (Historic Scotland)	Significant environmental effects – YES/NO
	If YES, note SEA topics/issues here (eg landscape and cultural heritage)

**SEA SCREENING REPORT – SECTION 4  
RECORD OF POST SCREENING ACTION**

**TABLE 4 – RECORD OF POST SCREENING ACTION**

**GUIDANCE NOTE**

It is not a requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

**TITLE OF PLAN/PROGRAMME**

**RESPONSIBLE AUTHORITY**



<b>1</b> Responsible Authority and Consultation Authorities in agreement – SEA <i>is not</i> required	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>

<b>2</b> Responsible Authority and Consultation Authorities in agreement – SEA <i>is not</i> required	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>

<b>3</b> Responsible Authority and Consultation Authorities Cannot reach agreement – referred to the Scottish Ministers for their determination	<input style="width: 95%; height: 25px;" type="text"/>
Date referred to the Scottish Ministers	<input style="width: 95%; height: 25px;" type="text"/>

<b>4</b> Scottish Ministers' determination	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>

<b>5</b> Publicity requirements met (Regulation 15)	<input style="width: 80%; height: 25px;" type="text" value="YES"/>	<input style="width: 80%; height: 25px;" type="text" value="NO"/>
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<b>6</b> Signature	<input style="width: 95%; height: 25px;" type="text"/>
Date	<input style="width: 95%; height: 25px;" type="text"/>

## Stirling Council Area Core Paths Plan Objective

At present the proposed objectives for the Core Paths Plan are the same as the vision and key principles originally identified in the Countryside Access and Recreation Strategy produced in 1999.

The Vision:

**To improve access and recreation opportunities for all to the countryside of Stirling district, whilst promoting responsible use, supporting rural economies and respecting current land management.**

### ***Key Principles.***

Throughout the strategy the following key principles are reflected in the policies and subsequent action plans:

- To work in partnership with organisations, communities and landowners;
- To ensure adequate and appropriate information on access opportunities;
- To promote responsible use of the countryside and address the need for community education in rural matters;
- To promote access for all;
- To adopt a sustainable approach to project development and management;
- To promote community health benefits;
- To adopt and maintain a quality approach to development and management;
- To recognise and promote the economic potential of projects.

Prior to the legal requirement to produce a Core Path Plan, Stirling Council had been operating a scheme known as the Community Paths Scheme. This was identified in the Access Strategy under policies 4 and 5 and the information obtained from that is now been used as the basis from which to develop the initial draft Core Paths Plan.

#### **Policy 4 - Community Paths Scheme**

**To develop a Community Paths Project which works in partnership with all sectors of local communities to create, improve and maintain path networks around settlements in the Stirling Council area.**

#### **Policy 5 - Stirling Urban Area**

**To develop a project to improve countryside access and recreation opportunities within the urban area of the district. This should aim to connect existing urban green spaces and the different communities in the more heavily populated part of the Council area.**

More information on the Stirling Council Core Paths Plan and the activities of the Countryside Service can be found on our website at [www.stirling.gov.uk/countryside](http://www.stirling.gov.uk/countryside).

## Proposed Community Consultation Timetable

### Stirling Council Core Paths Plan Proposed Community Consultation Timetable

Community Council	Consultation month	
	2006	2007
Bridge of Allan	July	
Plean	August	
Arnprior	September	
Polmaise	September	
Cowie	September	
Killlearn	October	
Thornhill & Blairdrummond	October	
Kilmadock	October	
Strathblane	November	
Buchlyvie	November	
Broomridge	November	
Borestone	November	
Cambuskenneth	November	
Kippen	November	
Bannockburn	November	
Logie	November	
Gargunnoch		January
Croftamie		February
Fintry		February
Dunblane		February
Port of Menteith		March
Gartmore		March
Raploch		March
King's Park		March
Craigs		March
Mercat Cross		March
Riverside		March
Torbrex		March
Killin		April
Callander		April
Drymen		April
Balfroon		May
Causewayhead		July
Cornton		July
Carron Valley		September
Cambusbarron		September

Community Councils highlighted in red will be consulted jointly on the Stirling Council and the Loch Lomond and the Trossachs National Park Core Paths Plans at the same meetings.

The timetable shows the month when there will be a consultation meeting within each community council area. It is hoped to also make copies of the Core Path Plan available for consultation at Council offices, local libraries and on the website [www.stirling.go.uk/countryside](http://www.stirling.go.uk/countryside)