
CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: Core Paths Planning

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Purpose

The purpose of this paper is to inform the Board of the statutory duties on the Park Authority in relation to Core Paths Planning and to seek approval of the proposed process and timeline for delivery of these duties within the National Park. In addition, the Board's advice is sought on how best to focus the consultation to ensure that the final Plan both meets peoples' aspirations and is affordable. It is also proposed to establish a Steering Group to manage the process through to completion and to seek advice from the Board on their potential involvement with the Steering Group.

Recommendations

That the Board:

- notes the statutory requirements that arise from the Land Reform (Scotland) Act 2003 with regard to Core Paths Planning;
- approves the process and timeline which will ensure a comprehensive and effective engagement with all relevant communities; and
- decide on the appropriate level of Board involvement in the process, in particular, through engagement with the proposed Steering Group.

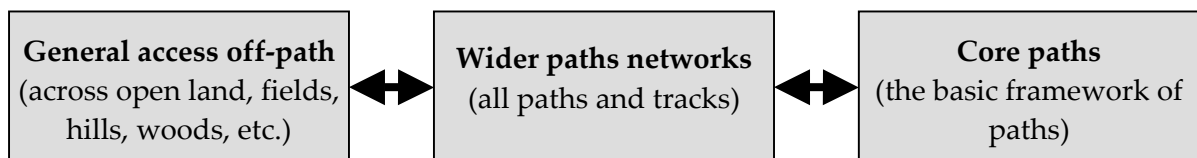
Executive Summary

This paper describes the 3 phases of consultation that are required to be completed to ensure that an appropriate Core Paths Plan is developed for the Cairngorms National Park. Two pilot studies have already taken place and the paper outlines how the lessons learned will be used when the consultation is rolled out. The paper details the key milestones when further input from the Board will be required.

CORE PATHS PLANNING - FOR DECISION

Background

1. The Draft National Park Plan contains 7 Priorities for Action. One of these is Providing High Quality Opportunities for Outdoor Access. The developing Outdoor Access Strategy addresses all of the actions within this Priority, one of which is the completion of the Core Paths planning process by February 2008. This reflects the duty placed on Cairngorms National Park Authority (CNPA) under the Land Reform (Scotland) Act 2003 (the Act). Along with all access authorities¹ in Scotland, CNPA has a duty 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.”² The Plan is required to be complete, up to the stage of formal consultation, by the 9 February 2008.
2. Core paths are a new concept in Scotland and the Scottish Executive has produced guidance that will assist access authorities in defining the key attributes of these paths. In addition, Scottish Natural Heritage and the Paths for All Partnership have published (July 2005) a Guide to Good Practice in Core Paths Planning. Copies of these documents are available to Board members on request. The proposals contained in this paper have followed this guidance. To assist understanding the purpose of a Core Paths Plan, a Frequently Asked Questions (FAQ) sheet has been developed (Annex 1).
3. The guidance indicates that this basic framework of routes will link into and support a wider network of other paths. The core paths network will satisfy the basic needs of local people and visitors for recreation and for getting about and provide key links to the wider network. To achieve this, the core paths network is likely to comprise a mixture of existing paths and some new paths, which together will bring cohesion to the overall paths network. The inter-relationship between the general rights of access, the wider paths network and core paths is illustrated in the diagram below. These should be seen as overlapping rather than discreet levels.



Overview of the Process

4. There are 3 key stages in the Core Paths Planning process:-
 - a) **First round of informal consultations** – the purpose of the first round is threefold. Firstly, it is to raise awareness of the general right of responsible access and

¹ The term “access authorities” is used to refer to the 2 National Park Authorities and 32 local authorities in Scotland.

² Part 1, Chapter 5, Section17(1), Land Reform (Scotland) Act 2003

management, together with the concept of core paths amongst the local community, recreational users and land managers.

Secondly, the consultation will allow CNPA capture an accurate picture of what routes exist in each community and how they are used. This latter point is particularly important as the information obtained will enable the Park Authority build up an accurate, digitised picture of routes along with any relevant path characteristics such as maintenance regimes (if any), whether there are path agreements in place and any other relevant local issues. As the Act applies equally to inland waters, it is also possible to consider routes that utilise rivers. This first consultation will not try and establish an outline network; rather it will allow both the communities and the Park Authority to reach a common understanding of the relative importance of all paths within the area.

Thirdly, managing community expectations will also form an important part of the initial consultation. There will be an expectation from communities that all paths that they consider important should be included in the Core Paths Plan and therefore maintained to an acceptable level. It will be an essential element of the consultation to highlight the role of Core Paths in only being required to provide the basic framework of paths and to recognise that a range of funding mechanisms currently exist that will continue to have an important role to play in funding maintenance on Core Paths.

- b) **Second round of informal consultations** – the second round has 3 objectives:-
- to verify that CNPA has correctly understood the community, land manager and recreational users' needs, as expressed in the first round (or in previous consultations) and that they have been summarised correctly;
 - to put forward CNPA's preliminary view on core paths, setting them in the context of what is proposed in the wider path network and general rights of access;
 - to receive feedback and seek consensus so as to minimise objections when the Draft Plan is published.
- c) **Carry out the formal consultation** – there is a statutory 12 week period for the formal consultation which must include the Cairngorms Local Outdoor Access Forum, representatives of the various stakeholders, Scottish Natural Heritage and anyone else the access authority thinks fit. Any substantive issue that remains unresolved after the formal consultation is likely to trigger a Public Local Inquiry. This final element of the process can take place after 9 February 2008 but the first 2 consultations and the Draft Plan must be completed by that date.

5. As the Core Paths Plan is viewed as a Plan which could have a potential impact on the environment, a Strategic Environmental Assessment will need to be completed alongside the Core Paths Plan.

Detail of the proposed process

6. In preparation for delivering this statutory duty, CNPA have already commissioned 2 pilot studies on different aspects of Core Paths Planning. The first, managed through Newtonmore Community Woodland Development Trust, utilised a well established local NGO to undertake the initial public consultation. This was done very effectively and the resulting report has highlighted the techniques that worked well and those that were less successful. In particular it showed how difficult it is to tap into the age group between late teens and early 40's and problems in trying to target visitors – particularly cyclists. Engagement with primary school children was seen as a very positive success and may have stimulated some engagement amongst parents.
7. The second pilot took place in the Strathdon area and looked at the development of a consultation strategy in a community that has had a recent path consultation. This will prove particularly useful as the Core Paths Planning consultation should build on existing consultations where they have taken place and not assume a “one size fits all” approach. Both pilots stressed the benefits of early consultations with land managers and this too will be built into the consultation process.
8. The 23 communities that were consulted about the Local Plan will also be the target groups for the Core Paths Plan consultation. In addition, there are planned additional consultations with land managers and other communities of interest such as recreational users. Involving all the foregoing will ensure an inclusive consultation. The benefits of having consultations led by communities have been proven during the consultations on the Local Plan and this too will be mirrored during this consultation process. Utilising the services of the Community Liaison Officers will also assist in ensuring an effective and bottom up approach to this exercise.
9. An outline project plan has been produced which highlights the key stages in taking the process through to completion and the stages when further Board involvement is required. The plan is shown in Annex 2 to this paper. Because of the need to complete all actions up to the start of the formal consultation by 9 February 2008, Board members will note that there is little opportunity to delay implementation. The project plan has also been developed to give staff maximum time to resolve any issues that arise, thus avoiding, as far as possible, the likelihood of a Public Local Inquiry.
10. To assist staff during the process it is planned to set up a Core Paths Planning Steering Group. In developing the Outdoor Access Strategy it has been found that a Steering Group provides a valuable role in advising Park Authority staff on the detail contained within the draft strategy. This has worked particularly well as its membership is drawn from a range of relevant backgrounds. These include the Park Authority Board, Cairngorms Local Outdoor Access Forum, Paths for All Partnership and a local authority. Whilst Park staff have considered taking forward the complete Core Paths Planning process internally, this has been discounted as it fails to utilise the considerable expertise that exists. **The Board is asked to decide on the appropriate level of involvement in the process and in particular their engagement with the proposed Steering Group.** Other

members might include Park Authority staff, representatives from Cairngorms Local Outdoor Access Forum, a Community Liaison Officer and a representative from Scottish Natural Heritage.

Consultation

11. The development of this paper has utilised the lessons learned from both Core Paths Plan pilot exercises. Internally this paper has been developed after discussion with staff in all Groups to ensure that all relevant staff are knowledgeable of the planned process and that the consultation largely dovetails with other statutory public consultations. Advice has also been given from the Paths for All Partnership on how similar exercises are being taken forward in other access authorities. In addition a cross border working group has been created to ensure that the 5 local authorities in and around the Park and the Park Authority can share information on their respective plans.

Policy Context

12. The completion of a Core Paths Plan is a statutory requirement on all access authorities. As such, it is a specific objective within the priority for action contained in the draft Park Plan. This high priority also reflects the Scottish Executive's aims of promoting exercise, thus contributing to a healthier Scotland. Regular exercise can play a large part in reducing coronary heart disease, stroke and diabetes. A well promoted and accessible network of paths, especially those close to communities, can assist in encouraging the public to take regular exercise.
13. An Outdoor Access Strategy for the National Park is currently under development and should be complete by October 2006. The completion of a Core Paths Plan will help deliver part of the strategy by determining a consistent approach to investment based on prioritised need.
14. The Core Path Plan will help contribute towards the three cross cutting themes in the Corporate Plan.
 - a) **Delivering sustainability** – The Plan will help to provide the physical resource which can be used to promote active and healthy lifestyles and will provide accessible networks that can be utilised for recreational or functional purposes. Such paths may feature as key routes to schools and work places thus reducing car dependency. A good range of quality paths will be of value to visitors and so contribute to the local economy.
 - b) **Delivering A Park for All** – Core Paths must meet the needs of local people and visitors. As such they should cater for all types of users and, wherever possible, be barrier free. Providing facilities that enable access for all will encourage greater use of the network and demonstrate that the network is for all to use and enjoy. By engaging local communities early in the identification of core paths, it is hoped that they will wish to become involved in actively managing the paths network in partnership with CNPA and land managers.

- c) **Delivering Economy, Effectiveness and Efficiency** – A Park-wide Core Paths Plan will ensure that there is collective recognition of the most important paths. This will provide an excellent basis for a range of future work- for example by ensuring that any new repair or maintenance work will be prioritised (and resources targeted accordingly) or as work to be undertaken through planning gain.

Implications

Financial Implications

15. The costs associated with the consultation on Core Path Plans will be spread over 3 financial years with a round of community consultations in each year. The workload will be shared by 2 Access Officers (based in Grantown and Ballater) and will take up the bulk of their time, assisted by the Community Liaison Officers and other colleagues from time to time. There will be associated costs (e.g. in the hiring of halls, engagement of 2 Community Liaison Officers and production of detailed maps, etc) and an allocation of £15K has been earmarked for the 2006/07 financial year to meet these costs. A similar sum will be required for 2007/08. The costs associated with the formal consultation in 2008/09 are likely to be similar but additional funds will be required for the publication of the Plan. As all of the foregoing is a statutory duty, there is little opportunity to attract other funding.
16. The costs associated with implementing the Core Paths Plan are difficult to gauge at this time but Board members should note that such a network will have the potential to require a significant element of CNPA's annual resource. Some of the paths that are likely to become Core Paths are already maintained by other organisations such as the Forestry Commission or private estates. It is envisaged that this will continue. Some communities have been active in developing and maintaining their own networks and this will be encouraged, possibly through use of the small grants scheme for capital equipment. Land Management Contracts (LMCs) may also have a role to play in funding paths where they become Core Paths. It is, however, likely that a budget for funding maintenance will be required. Part of the initial consultation will seek information on existing funding arrangements and therefore a more accurate estimate of potential costs will be available when this issue is next debated at the Board in February 2007.

Presentational Implications

17. There is a need to encourage as inclusive a consultation as possible. Raising awareness of the process will clearly be crucial and the first formal stage in this process will be the annual open event of the Local Outdoor Access Forum which will publicise the Core Path Planning process. This will take place on Saturday 22 April at the Lonach Hall, Strathdon. A speaker from the Newtonmore Community Woodland Development Trust will provide a first hand experience of the process and tee up the benefits that can be gained from being involved. Thereafter, local adverts, articles and targeted information

will all help to raise the profile of the process. There is likely to be a high expectation that individually favoured paths will feature in the agreed Plan. There will therefore be an important task when consulting to explain the purpose of Core Paths and how they fit into the wider path network.

Implications for Stakeholders

18. The main stakeholders are the locals and visitors who will use the Core Paths Plan when it is approved and implemented. In practice, it is likely that much of the network will currently exist but the need to adequately promote and waymark the paths will ensure that the core network links effectively with the wider path networks. It will therefore be important to implement the Plan once it has been agreed to maintain public confidence in the process.

Next Steps

19. If the Board are content with the proposals for consultation described in this paper the next step will be to agree dates, times and venues for the first round of public consultations in the summer. The results of that consultation will be fed back to the Board prior to the second round commencing. A similar process will take place at the end of the second round of consultations and at that stage the Board will be asked to approve the draft Core Paths Plan.

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