



## Annex 2

### Core Paths Plan review – issues report

#### Background

1. From the review of the Core Paths Plan and informal consultation several themes, proposed path changes and key matters of interest arose. These matters have been reviewed by the Access Team with input from the Local Outdoor Access Forum (LOAF) and reviewed by the Park Authority Senior Management Team (SMT).
2. The matters and issues that arose are presented below with explanations of the reasoning behind the decisions made about these key issues. The decisions made regarding these have been incorporated into the Draft Core Paths Plan which will go out to formal public consultation.
3. The updates to the Core Paths Plan have increased the amount of core paths from 693 miles (2015) to 710 miles (2026). An overall gain of an additional 17 miles of core paths.

#### Plan wide issues

##### Private level crossings

4. The Scottish Government believes that core paths established under the Land Reform (Scotland) Act 2003 (LRA) cannot be designated over private level crossings.
5. The Park Authority received Ministerial direction to remove private level crossings over Network Rail lines from the Core Paths Plan.
6. In response to this **core paths have been de-designated at two private level crossings – Dalnaspidal and Newtonmore** (core path status is retained either side of the crossing). It is likely that during the formal consultation stage objections will be received to these core path de-designations, it is the view of the Access



Authority that any such objections should be dealt with by the Reporter appointed by Ministers post the formal consultation.

### Core paths on roads

7. While there is no specific definition of what can constitute a 'core path', the notion is that they will by nature be paths or routes intended for recreational users and that allow persons to cross land. Minor public roads might be designated where they meet a particular need and are of a suitable condition (eg traffic regulated, safe for non-motorised use etc).
8. The current Core Path Plan identifies several sections of road as core paths and as part of this review core paths on classified roads (A and B roads) have been reviewed. In addition, consideration was also given to the value of core path designations on streetside pavements through the centres of villages and towns.
9. The outcome of this road and pavement review is summarised below:
  - a) Two core paths (totalling 3.1km) have been de-designated without affecting the sufficiency of the core path network. These are the National Cycle Network (NCN) route through Newtonmore (on the A86) and continuing south on the B9150, and the last section of the core path on the B955 Glen Clova Road which has no network value.
  - b) Eight core paths / sections of core path on roads have been re-classified from core path to 'aspirational' core path. Aspirational routes are on land where access rights apply, but at present there is no path present. This status allows for the recognition of an important network link, in place of a core path, where no route yet exists.
  - c) Of note are three longer core paths (totalling 5km) entirely on A-roads at Laggan (A86 and A889). These were previously identified as core paths in the first core path plan but have not been delivered. These three paths have been changed in designation from 'core path' to 'aspirational core path' to reflect their strategic importance and ambitions of the Laggan community to develop, but ensure there is not a designation of a major A-road as a core path.
  - d) Five core path sections on B-roads (1.5 km) have been retained in the Draft Plan. All are rated low user risk due to various mitigating factors, and all are



important links in the network and have strategic value, and no practical alternative option is available.

e) A total of 3.7kms of core paths on pavements has been de-designated.

10. The proposed changes (de-designation of 7.2km core path and re-classification of 6.5km to aspirational core path) will not significantly affect the core path network and will not impact on the sufficiency of the Core Path Plan in providing reasonable public access throughout the National Park.

### Proposed additional core paths

11. During the informal consultation 40 routes were suggested by the public for consideration as additional core paths. Of these seven were discounted due to not being usable routes (six were routes that do not exist and where access is not currently taken, and one that included a section of road).
12. Of the remaining 33 paths, 10 were judged to add value to the core path network and have been added into the Draft Plan as candidate core paths, the remaining 23 paths were rejected for designation as core paths. The reasons these paths were rejected included:
- a) The path not meeting the objectives of a core path.
  - b) The path being in a more remote or mountainous area\*.
  - c) The area already having an adequate number of paths to provide a sufficient network.
  - d) The path being in unsuitable condition for directing people onto

*\*In the development of the first Core Path Plan it was decided that it would not be appropriate to designate remote and upland paths as core paths, as this may lead to people believing these paths to be a certain standard or safe to use which is not the case. Only a small number of link paths across the Park were designated to ensure the Plan was sufficient at the Park-wide level, these routes are robust and easy to follow.*

13. Two specific paths of note that have not been included in the Draft Plan are:
- a) **Aviemore to Carrbridge proposed NMU (non-motorized user route).**  
Delivery timetable of this route has not yet been confirmed. Not all the land required for the path is currently within access rights so core path status



cannot be designated at this time. Core path status is unlikely to add any weight to the programme of delivery for this route given it has already been identified in the A9 dualling delivery commitments. The route can be added as a core path at a later date, after it is completed.

NB If the route were to receive planning permission before the formal consultation starts (and therefore it could be assumed all compulsory land purchases and agreements have been made), it may be added into the Draft Core Paths Plan.

**b) Carrbridge - Carr Road to school link path**

The route is being progressed as part of a developer contribution linked to a new housing development. Although discussions are ongoing with the community and landowner the precise route has not been agreed on the ground. As such it would be premature to designate any particular route as a core path at this time.

### Proposed de-designations of core paths

14. 10 suggestions were received to de-designate existing core paths. A de-designation would only be done where this is in the public interest, core paths would be considered for de-designation in circumstances such as:
  - a) The path has been superseded by an alternative new path so its removal would not affect the sufficiency of the plan.
  - b) The route is not there on the ground ie it cannot be followed.
  - c) Safety reasons – such as landslips that have made the route unsafe to use or re-assessment of safety of core paths on roads.
  
15. Three suggestions to de-designate paths were accepted, the other seven suggestions didn't meet these criteria and were rejected.

### Forestry management

16. Several land managers expressed concerns that they believed core path designation would impact on forest management practices. The Access Authority takes the position that such concerns are not a satisfactory reason for not designating a core path where it would add value and sufficiency to the network. Core paths can be diverted or if necessary, temporarily closed for land management operations such as tree felling works to be undertaken.



### Maintenance issues

17. Several comments were received during the informal consultation which related to maintenance or safety issues with existing or proposed core paths. These issues are not related to this review of sufficiency of the core path network.
18. Such comments were reviewed and passed to the relevant landowner, highways authority or noted for action by the Park Authority. It is acknowledged that there are significant benefits from improving the quality of paths however this is done on a priority basis and works are limited by budgetary constraints. There is no obligation on the Park Authority or land manager to maintain any core path to any set standard.
19. Paths that were highlighted multiple times:
  - a) **Glenmore Alt Mor path (GR12), lower section with boardwalks.** Concerns were raised that landowner Forestry and Land Scotland (FLS) were no longer maintaining the route (indicated by signs stating as such on site) and consequently this key path that links Glenmore to Cairngorm Mountain would fall into disrepair and become impassable. While essentially a maintenance issue at this time, this does raise concerns due to the importance of this network link. The Park Authority will work with Forestry and Land Scotland (FLS) to investigate alternate locations where a potential new path might be developed.
  - b) **Dulnain bridge to Balnaan (LBS96)** – a link route from Skye of Curr forestry track to the unclassified road between Balnaan and Carrbridge. This was reported as being difficult to access and use and is currently being investigated by the Access Team.

### Specific paths

20. These proposed changes to the Core Paths Plan received numerous comments during the information consultation stage and as such have been investigated and discussed further.

#### **Nethy Bridge – Tulloch Moor track (LBS151), a tarred unadopted road between the B970 and minor road at Tulloch**

- Status: Addition to core path network



- **Issues raised:** Number of objections received (also number of supporting comments received).
- **Decision: Retain in Draft Core Paths Plan**
- **Decision reasoning:** This is an existing track that is an important network link, and a very popular cycle route linking National Cycle Network Route 7 with the wider network of minor roads around Abernethy as well as the Rights of Way over *An Slugan* and Ryvoan. The route had suffered a historic significant flooding issue which had caused safety concerns, but the track has now been repaired and is useable.

#### **Glenmore – Alt Mor path from Utsi bridge (near Sugarbowl car park) to Cairngorm Mountain**

- **Status:** De-designate this section of core path due to a major landslip blocking route (GR12)
- **Issues raised:** Number of objections received. Points raised regarding importance of having an off-road link between Glenmore and Cairngorm Mountain
- **Decision: Remove core path designation from section as proposed. Include an aspirational core path as an alternative route (ASP253)**
- **Decision reasoning:** This path provides an important network link in the Core Paths Plan and the need to maintain it is recognised. Repairing and reopening the blocked path is not feasible due to cost, the likelihood of further damage and ongoing safety issues. The ambition is to identify a new route, likely incorporating the old road and develop this as an alternative route. This has been incorporated in the Draft Plan as an 'aspirational' route, recognising that the actual route has not yet been identified on the ground and construction works will be required in places to facilitate a new route.

#### **Kingussie – Speyside way on B970 from A9 underpass to Ruthven Barracks**

- **Status:** Addition to core path network (LBS313)
- **Issues raised:** Support for including as a core path, but safety issues raised about being on public road and blind bend.
- **Decision: Include in Draft Plan as an aspirational route (ASP255)**
- **Decision reasoning:** The Speyside Way is one of Scotland's Long-Distance Routes and the path links together many villages and towns. As such it is a key part of the Cairngorms path network, and this is recognised through its



designation as a core path. To ensure continuity in core path designation this section will be included in the Draft Plan as an aspirational core path, recognising the intention to develop an off-road route parallel to the road. The Access Team is currently working with stakeholders to secure a solution here, but the exact line of the route is yet to be identified and will require construction.

#### Newtonmore – section of the Wildcat trail through the Allt Laraidh gorge

- **Status:** De-designate section of core path due to landslip blocking route in the gorge
- **Issues raised:** Some objections to this received and suggestions should find alternative route
- **Decision: De-designate core path (removed from Draft Plan) as proposed**
- **Decision reasoning:** The current route is impassable, a new route within the gorge is unlikely to be deliverable given the fragile nature of the slopes. The community have investigated repairs and decided to permanently close this section and redirect the trail onto the minor Strone Road. Creating an alternative new route within the field above the gorge wouldn't replace the experience of the gorge section and thus would offer little value for the investment required.