

Core Paths Plan – Reports on Objections and Further Consultation

1.0 SUMMARY

- 1.1. Following the Public Consultation for the Core Paths Plan which closed on the 4th of April 2011 the Outdoor Access Team has completed the initial assessment of the 318 representations received from 274 individuals and organisations. Whilst many representations expressed support for the proposals 223 objections were made to 127 Paths and Launching Points. This represents 10% of all the Core Path Network and 6.5% of the Launching Points proposed.
- 1.2. The process of negotiating with the objectors in an effort to persuade them to withdraw their objections is ongoing. Part of the process that we have adopted is to produce reports responding to the objections and to consult interested parties where changes to the plan are proposed. Copies of the first batch of these reports for the two Wards in your committee area are attached. You are invited to discuss these at the Business Day with the Access Manager, and you may also receive enquiries from Community Councils and constituents once these have been sent out.
- 1.3. Members are invited to make comments on the attached reports for each Core Path Objection.
- 1.4. The 21 individual reports included in this report cover all the valid objections received to the Core Paths Plan in the Helensburgh and Lomond Area. In total the Access Team have produced 138 reports on objections to the Core Paths Plan.
- 1.5. The Public Local Inquiry will generally take about six months to report following the submission of the final report on the consultation to the Scottish Ministers. Adoption of the Final Plan by the council will follow once the Reporter has made his recommendations on the plan.

2.0 RECOMMENDATIONS

- 2.1. That Members note the content of this report.
- 2.2. That Members are invited to make comments on these reports during the 4 week consultation period that commence at a date after the 17th April.
- 2.3. That Members encourage Community Councils to discuss and comment on these reports.

3.0 BACKGROUND

- 3.1. The Process Map for dealing with Objections to the Core Paths Plan is copied in **Appendix 1** of this report. This process has to be completed for each Objection before a report on the Core Paths Plan Public Consultation is passed to Scottish Ministers for a probable Public Local Inquiry. This is to ensure that all views have been accurately recorded and that a robust case is presented to the Reporter at the Inquiry. The Access Team will only meet with the objectors where they believe that there is a realistic chance that this will lead to the objection being withdrawn.
- 3.2. The process of preparing for the Public Local Inquiry will take until May 2012 to complete. The programme was approved at the Executive Committee in October 2011. **Appendix 2** of this report includes a Map Showing the Distribution of Paths and Launch Points that are the Subject of an Objection in the Helensburgh and Lomond Area. **Appendix 3** Lists the objections by ward, number and name. The reports are included in **Appendix 4**.
- 3.3. The Access Team have prepared a report for each path or launch point that is the subject of an objection. The reports for the Helensburgh and Lomond Committee Area are attached to this report. Please note that Sections 8 & 9 and Appendix III are blank in all of the reports to allow comments received during this consultation to be recorded along with the views of the Access Forum and the final recommendations from the Access Officers.
- 3.4. The Council cannot now make any further changes to the Core Paths Plan, only recommendations, which will be passed to the Reporter. Any proposed changes will be directed by the Reporter following a Public Local Inquiry after which the final plan will be adopted by the Council.
- 3.5. Many of the reports recommend changes to the plan in an attempt to resolve objections or ensure the accuracy of the Core Paths Plan, therefore the Council needs to ensure that these are supported by any interested parties by consulting them.

Objections to Core Paths & Launch Points in Helensburgh & Lomond Area

- 3.6. A total of 19 proposed Aspirational, Core Paths and Deleted Paths were the subject of an Objection in the Helensburgh & Lomond Area, a further 6 objections were received on the grounds of a lack of sufficiency in the Helensburgh & Lomond Area. Some objections received have been combined into one report resulting in a total of 21 Core Paths Plan Objection Reports for the Helensburgh & Lomond Area.

Key Points on Representations/Objections Made

- In many instances we have received representations that either support or object to the same path.
- An objection to a deleted path means that an individual wishes the path to be included in the final plan. The Access Team will therefore consult both the landowner (who may have objected during the last consultation round) and

the objector. In many instances the objection will be sustained because it will not be possible to accommodate both parties.

- In some instances an individual has objected to a short section of a path but expressed support for the remainder of it. Therefore the lengths of path subject to an objection are significantly less.
- Comments relating to the sufficiency of the plan relate to paths that the objector believes should be included in the plan. Where New Paths are proposed they are prefixed with the letters NP000.

3.7. Where no objection to a proposed Core Path or Launching Point has been received it will be included in the Final Adopted Core Paths Plan. This will be true of 90% of the proposed Core Path Network and 93% of the Launch Points. The Access Team has now published these paths on the online mapping system Local View and will continue to develop this resource over the coming months.

Handling Objections to the Core Path Plan

- 3.8. The Process for handling objections is set out as a flowchart in **Appendix 1**.
- 3.9. This process which has involved visiting the majority of the 138 paths and launching points as well as meeting some of the 233 objectors and is now largely complete. The decision to undertake the additional consultation at this stage was made following advice given by the Reporter for the recent Perth & Kinross Core Paths Plan PLI. Undertaking this additional consultation will avoid the need to carry out a wider consultation where changes are proposed to the plan to remove objections.
- 3.10. Once all 138 reports have been completed, they will be sent to the Scottish Ministers. They will appoint a Reporter to hold a Public Local Inquiry that will take the form of either written submissions or a hearing.

4.0 CONCLUSION

- 4.1. The process of handling the representations received to the Core Paths Plan is progressing in accordance with best practice issued by the Scottish Government. This process has taken a number of months because of the geographical distribution of the representations received which have had to be assessed before the Report on the Consultation can be passed to the Scottish Ministers.
- 4.2. Time spent now attempting to resolve objections to the Core Paths Plan will reduce the duration of the Public Local Inquiry and the number of requests for additional information.
- 4.3. This period of time will also give the Access Forum Members, who are all volunteers, an opportunity to visit as many as possible of the locations that are subject of an objection so that they can provide well informed advice to the Council.

- 4.4. It is further anticipated, given the experience with other Council Core Path PLIs, that the adoption of the Core Paths Plan will take a further six months following the submission of the final report.

5.0 IMPLICATIONS

Policy: None

Financial: The costs of the Public Local Inquiry are met by the Scottish Government and all other costs associated with preparing for the PLI will be met through existing budgets.

Personnel: None

Community: The right of access is an important issue for many communities that requires careful consideration. The Core Path network can also offer an important economic and health driver for Argyll and Bute

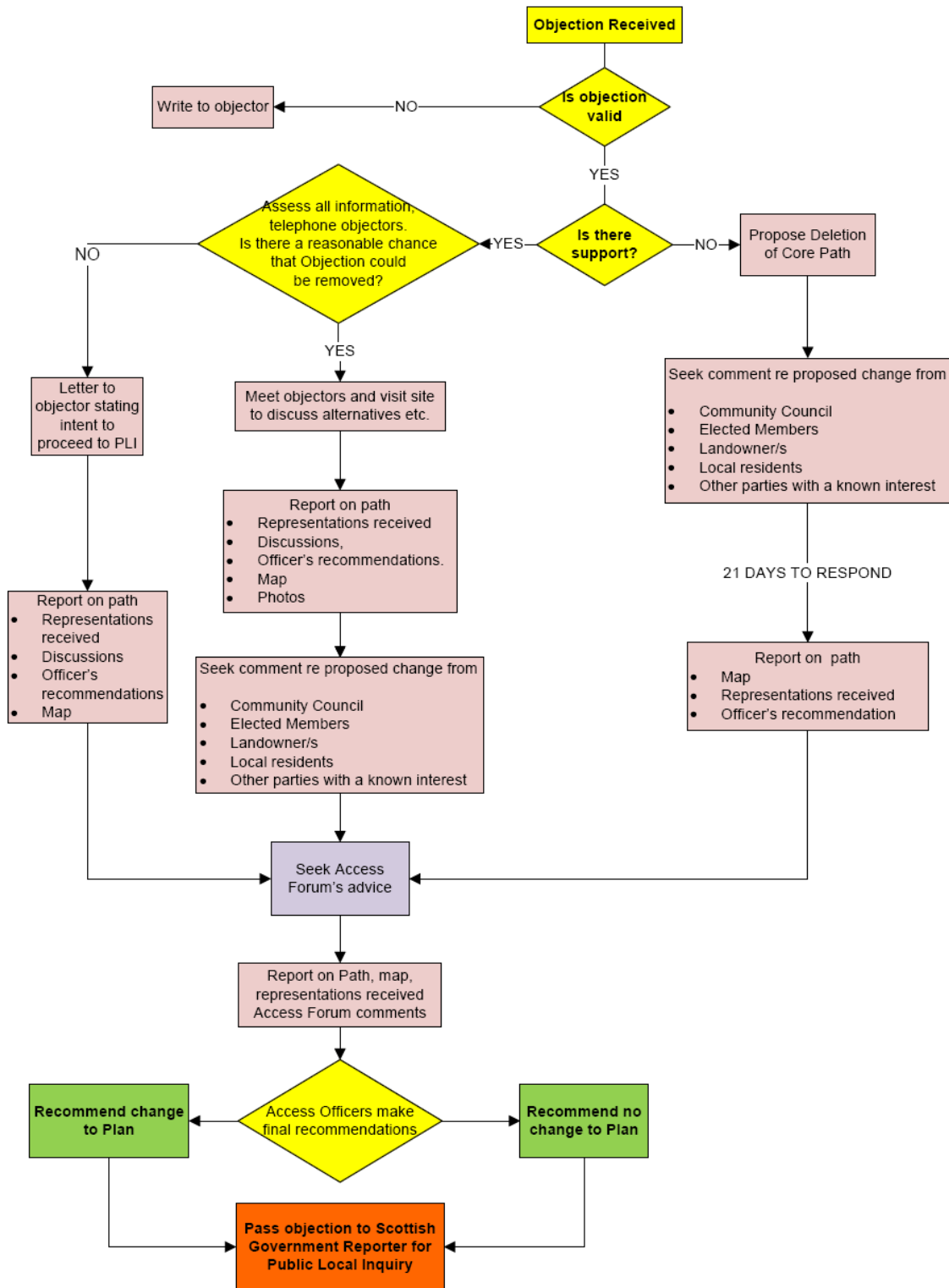
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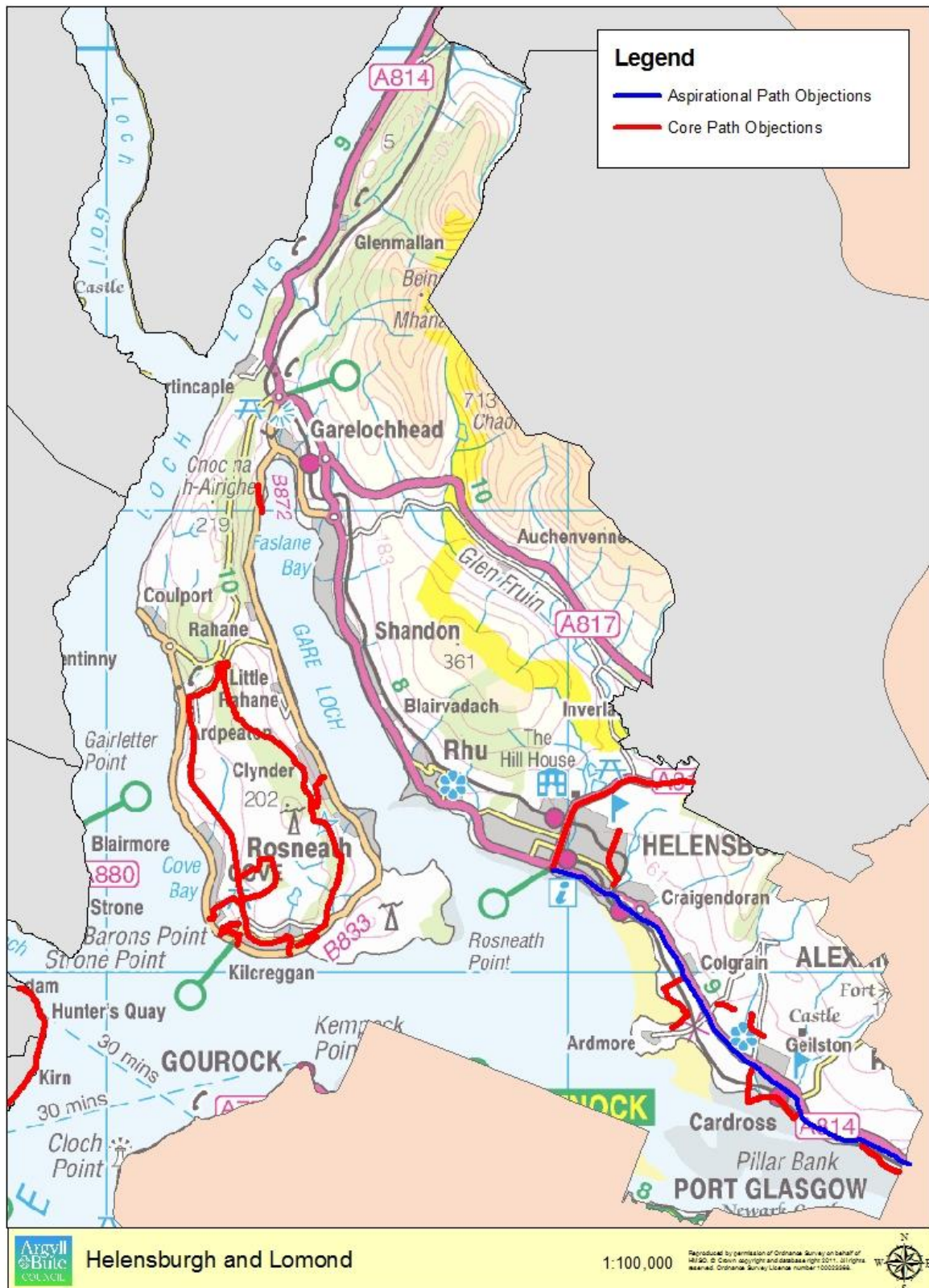
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Appendix 1 Process for Handling Core Path Objections

PROCESS FOR HANDLING CORE PATH OBJECTIONS



Appendix 2 Map Showing Objections to the Core Paths Plan in the Helensburgh & Lomond Area



Appendix 3 Table of Core Path Objections in the Helensburgh & Lomond Area
21 Core Path Objection Reports included with this report

Path No.	Path Name	Council Ward
A094	Dumbarton to Helensburgh cycle path	Helensburgh Central, Helensburgh & Lomond South
C263(a)	Red Rd to Darleith Rd Lyleston to Kirkton	Helensburgh & Lomond South
C266	Cycle Path Pier to Arden (ABC boundary)	Helensburgh Central, Helensburgh & Lomond South
C267 & NP007	Old Luss Road, Helensburgh	Helensburgh Central, Helensburgh & Lomond South
C282(b)	Kilcreggan to Peaton Hill (Peninsula Path)	Lomond North
C282(c-f)	Kilcreggan to Peaton Hill (Peninsula Path)	Lomond North
C284	Clynder High Road to Peninsula path	Lomond North
C290	School Road to Church Road via Fairfield Gardens	Lomond North
C291	School Road to Church Road	Lomond North
C319	Barbour road to Peaton Hill, Kilcreggan	Lomond North
C468	B833 to Dun Daimh part circular (c) Garelochhead	Lomond North
C510	Cardross shore path	Helensburgh & Lomond South
C518	Moss road, Cardross	Helensburgh & Lomond South
C525(a)	Garelochhead forest (a)	Lomond North
C525(b)	Garelochhead forest (b)	Lomond North
D017	Ardoch to Dumbarton shore path	Helensburgh & Lomond South
NP003	Drumfad Wood, short-cut, Helensburgh	Helensburgh Central, Helensburgh & Lomond South
NP009	Abercrombie Ct/Golfhill Dr, Helensburgh	Helensburgh & Lomond South
NP017	Rosneath to Caravan Park	Lomond North
NP018	Clachan Fm, Rosneath	Lomond North
NP019	Camasail wood, Rosneath	Lomond North

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