

Core Path Report for C282(c-f) Kilcreggan to Peaton Hill (Peninsula Path)

1. Proposed Core Path



2. Summary of Representations Received

Representation	Respondent Name	Organisation/ Group	Objection Summary	Respondents proposed action	Respondent Ref No.	Objection withdrawn
Objection	S. B. Tong	UPM Tilhill	Maintenance	Remove	P018/2	

3. History of Access

- i. Right of Way Status: none
- ii. Recorded Access Issues: none
- iii. Route received funding from SNH; SRDP funding (LMO option) application for section of this route has been submitted to Scottish Government Rural Payments and Inspections Directorate. See Appendix IV for information regarding an SNH grant to UPM Tilhill for the construction of this timber haul road. Also Appendix II for information on an Land Management Option grant payment from the Scottish Government Rural Payments and Inspections Directorate to UPM Tilhill for work to cutback vegetation on the route.

4. Site Visit



1. C282 start at Peaton Road



2. C282 car park



3. Peaton road crossing



4. C282 recent smooth surface



5. Cut timber stacked safely



6. Looking North back along C262



7. Looking north along section above Clynder



8. Gate at Kilcreggan end of section c, looking north



9. Car park at Kilcreggan end of section c



10. Sign at Car park

5. Alternative Route/s

None

6. Consultation with Objectors & Other Interested Parties

This is a timber haul route which cannot be maintained or kept to the standards required by a core path

7. Access Officer's Initial Comments

It has been confirmed that a condition for part of the funding of £9,800 from Scottish Natural Heritage for this Timber Haul Route was that it become a Core Path (Appendix II(a)). This was in addition to funding of £45,850 from the Strategic Timber Transport Fund towards an overall cost of £112,559 much the balance of which have been funded by the owners of the forestry.

See page 8 of

[http://www.forestry.gov.uk/pdf/STTSUpdateReportSeptember2011.pdf/\\$FILE/STTSUpdateReportSeptember2011.pdf](http://www.forestry.gov.uk/pdf/STTSUpdateReportSeptember2011.pdf/$FILE/STTSUpdateReportSeptember2011.pdf) .

On 18th August 2011 the Access Officer was sent an email regarding a contract with the Scottish Government Rural Payments and Inspections Directorate under the Land Management Option Improving Access under which the landowner receives payment for the maintenance of the route. See Appendix II (b) for a copy of this email. In this update on an ongoing contract to maintain the path Stephen Tong of UPM Tillhill attaches a map of the route.

The conditions of the Land Management Option for Improving Access are copied in Appendix IV. These are for a five year contract commencing in 2008 to maintain a path in a condition that will encourage public access.

SNH have suggested that if Tillhill are now objecting to the proposed Core Path they may wish to recover their funding. However the Council will continue to propose the designation of this route as a Core Path irrespective of any grants paid by SNH.

UPM Tillhill's Objection – This is one of a series of objections from UPM Tillhill who manage forestry across Argyll & Bute. They believe that the designation of Core Paths will increase the costs of managing forestry for their clients and may lead to conflict with the public whose expectations will be raised by the Core Path designation.

The proposed Core Path is a good quality track that appears popular and suitable for a number of users. There is no set standard for Core Paths other than they should be fit for purpose, Timber transport routes generally will be useable for walkers, cyclists and riders because they need to be maintained to allow the forests to be managed and timber to be sold. It is accepted that at times timber lorries will cause damage to the paths however they will generally be

usable. Tillhill have stated that there is a long history of public use which they will continue to maintain and encourage.

The Forestry Commission has been asked by the National Access Forum to look at the whole issue of Core Path designation on forestry management and will be developing guidance over the next few months. Hopefully this will make the issues clearer and help to provide clarity and assurance for all involved.

The Council has now established a web site with interactive mapping that will allow us to publicise forestry works and encourage the public to avoid areas where tree felling is in progress or large volumes of timber are being moved. This along with signage on site should help land managers to manage public access.

Currently proposals are being developed by a sub group of the National Access Forum which is trying to ensure that the designation of Core Paths will in future allow land managers to claim funding to maintain Core Paths for the public good. Although there is no guarantee that the designation of a Path as a Core Path will release funding for maintenance the hope is that this will be the case.

In view of the considerable sums of public money that have been invested in this route as well as earlier support for the designation of the route during the consultations on the Consultative Draft of the Plan. The path provides an important link in the Core Path network along the spine of the Roseneath Peninsula and in conjunction with the Barbour Road forms a long distance route suitable for cyclists. However at present there is no support for the route from any members of the public and we are asking the Access Forum to comment on the effect of this path upon the sufficiency of the Core Path Network in this part of Argyll & Bute.

I propose that the Council continues to propose this Path C282 as a Core Path to allow the promotion of this route to the public through the Ordinance Survey maps, online and through signage on the ground. The proposed designation will simply ensure that the route is promoted and protect public access along the path in the event that the ownership changes or development is proposed.


8. Advice Received from the Access Forum

9. Access Officer's Final Recommendations

10. Appendices

Appendix I. Copies of the representations received during the formal consultation

P018-2

<small>For Official Use Only</small>	<small>Date Received</small>	<small>Ref No.</small>
Argyll & Bute Council Finalised Draft Core Paths Plan Comments & Objections Form		
Name	S B Tong	
Organisation (if appropriate)	UPM Tilhill	
Address	Novar, Kilmun, Dunoon, Argyll	
Postcode	PA23 8SD	
Daytime telephone number	[REDACTED]	
Email address	[REDACTED]	
Signature	[REDACTED]	<small>-Date</small> 21 st March 2011
Sufficiency		

Please make your comments here and ensure you use the Number of the Core Path, Aspirational Path or Launching Point to identify it. *State clearly if you are objecting or supporting the proposal.*

NB: please do not comment on the orange Scottish Paths Record which is not included in this consultation.

Path / Launching Point Number	Support / Object to Proposal	Comments on individual paths or launching points
C468	Object	Mambeg North – Path is not appropriate. Bridge Required.
C282 (c-f)	Object	Rosneath THR - The proposed path is a Timber Haul Route which cannot be maintained or kept open to the standards required by Core Path status. There is, however, a long history of public use which will be maintained and encouraged.

Appendix II. Copies of Relevant Correspondence

(a) Exchange of emails with Stuart Davies of SNH regarding the payment of a grant by SNH to Tihill for the construction of the Timber Haul Road.

Extra line breaks in this message were removed.

From: Stuart Davies <Stuart.Davies@snh.gov.uk>
To: Grierson, Douglas
Cc:
Subject: RE: peaton hill grant

Sent: Wed 30/11/2011 09:1

Hi Douglas

I can confirm that we paid a grant of £9,800 to Tihill as our contribution to the Peaton Hill link.
The project title, given to us by Tihill in their application form was: 'Peaton Hill THR - Rosneath Forest - Near Garelochhead. The project is a core path.'
Standard condition 4.7 of our offer to Tihill states that: 'The grant must be used for the purposes and in the manner set out in the application'.
It was clearly our impression, and I assume Tihills, that the route, including the path to the summit of Airlig Hill, would form part of the core paths network. If that is not now the case, and Tihill are objecting to the route being included in the core paths network, SNH would be likely to start procedures to recover the money paid to Tihill for this project.
I would be grateful if you could keep me up to date with progress on this issue.

Regards
Stuart

Stuart Davies
Grants Officer
SNH
The Beta Centre
Innovation Park
University of Stirling
Stirling
FK9 4NF

Extra line breaks in this message were removed.

From: Stuart Davies <Stuart.Davies@snh.gov.uk>
To: Grierson, Douglas
Cc:
Subject: RE: peaton hill grant

Sent: Wed 30/11/2011 09:12

>>> "Grierson, Douglas" 11/29/11 10:10 AM >>>
Dear Stuart,

I am writing in the hope that you may remember the project at Peaton Hill that you had some involvement with as shown in your email below. The reason for my interest is that we have received an objection to the routes inclusion as a core path from Tihill and I was wondering if there was any official recorded condition placed on the grant that they received from SNH for the completion of the work?
I know this was some time ago, and that you may no longer be in the same post, but if you were able to point me in the right direction as to who I could talk to to receive a copy of the grant and/or any conditions that were associated with the grant I would be most grateful,

Many thanks,
Douglas

Douglas Grierson
Access Officer
Development Policy
Planning and Regulatory Services
Argyll and Bute Council
T: 01546 604228
M: 07909 687751

(b) Copy of Email Dated 18th August 2011 from UPM Tilhill regarding funding for maintenance of part of this route

From: stephen.tong@upm.com [mailto:stephen.tong@upm.com]

Sent: 18 August 2011 13:12

To: sgrp@perth@scotland.gsi.gov.uk

Cc: Grierson, Douglas

Subject: Rosneath LMO Access Map

Dear Sirs

Rosneath Woodlands

MLC - 341/0028

BRN 165498

LMOIAM - Improving Access

I attach a sketch map relating to the above.

The first planned operation is cutting back vegetation beside the route so that vehicles may pass other users in safety. This work was started last year, but it has been delayed so that the first claims relating to it may come in to the current LMO year.

Yours faithfully,

Stephen Tong

S B Tong -- Forest Manager

UPM Tilhill

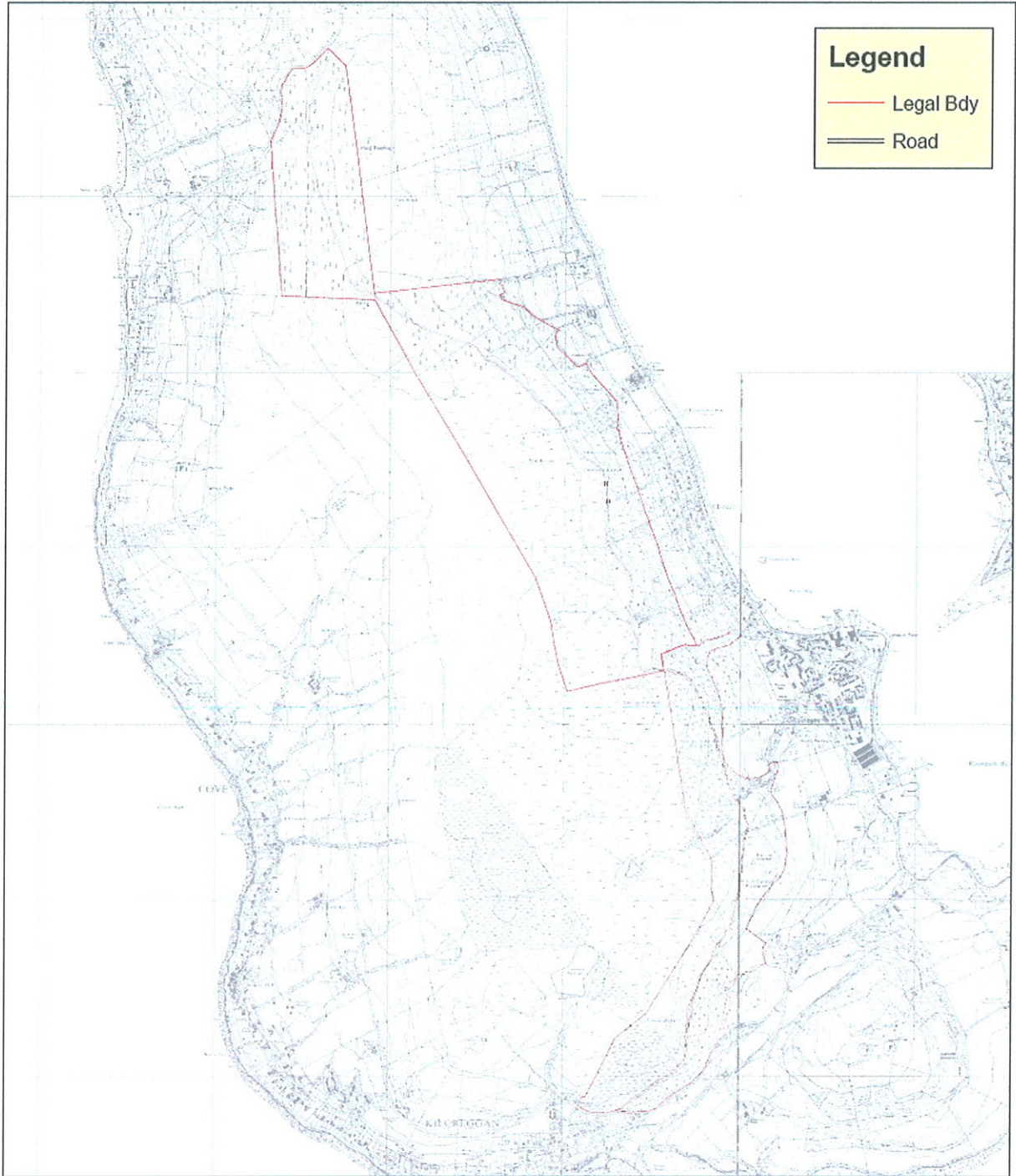
Novar, Kilmun,

Dunoon,

Argyll PA23 8SD

Sketch Map Copied Overleaf

Rosneath Woodlands



Rosneath - Improving Access (Enhancement)

Access improvements will be carried out on sections of the path marked as "Road" on the map above.



Scale
1:22,226

24/08/2010



UPM Tilhill

Novar
Kilmun
Dunoon
Argyll
PA23 8SD
Tel: (01369) 840169
Fax: (01369) 840115

Based upon the Ordnance Survey map
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N128W
EPR:smc:
N128W

Appendix IV. Additional supporting documents

Extract from Scotland rural Development Programme: Rural Development Contracts: Land Managers Options: Notes for Guidance LMO1 (dated March 2008)

<http://www.scotland.gov.uk/Publications/2008/03/28151549/9>

Axis 3 The quality of life in rural areas and diversification of the rural economy

Option 20 - Improving access

What is this about

Most people prefer to use clear, identified paths for enjoying access in the outdoors. This option aims to help upgrade and enhance paths/routes that were previously footpaths only to make them accessible to a fuller range of users, including members of the public, cyclists, horse riders and persons with disabilities. This option will provide enhanced paths and signs, to encourage responsible public outdoor access for the full range of users, and to integrate access with good land management. This will have wider benefits for health improvement and increased physical activity. By providing marked paths, you can encourage local people and visitors to exercise their access rights on paths which are best suited for the purpose.

Support will be available for the priorities of enhancing and marking paths and routes which link to local networks, give access to attractive places, or meet a local need. This option can include access to inland water, such as lochs and rivers. These access facilities and improvements will provide a sustainable resource for nearby communities, visitors, and enterprises, and give broad social and economic benefits, along with better opportunities for local outdoor access and recreation.



What will this achieve

This option will encourage land managers to

- enhance and mark access paths/routes for all types of users to help them exercise their rights under the Land Reform (Scotland) Act 2003,
- encourage the use of routes that provide public benefits and integrate responsible access with land management activities.

What you must do

Support will be given for enhancing and marking existing paths/routes which meet the priorities of:

- linking to local networks,
- giving access to points of attraction, or
- meeting local needs of the full range of users, including access to core paths.

The full range of users includes members of the public, cyclists, horse riders and persons with disabilities.

Paths must be continuous across your land, and must be suitable for appropriate use all year round. Routes to inland water are also eligible. The path/route and the associated eligible capital items must meet all of the technical specifications contained at the end of this option. This includes being well-drained, fit for the intended purpose, free from obstructions, signposted and waymarked, and regularly inspected.

Separate copies of the map must be submitted to your local SGRPID Area Office and to your local access officer by 31 August in year one of your agreement. This is to inform the local authority or national park authority, and to help ensure that the proposal meets at least one of the criteria set out above. It may also be used as the basis for public information on access opportunities.

Who can apply

The measure is available to all rural land managers.

When you are planning your path application, you must inform your local authority (or national park authority in a national park) access officer, to help ensure that it meets at least one of the priorities and the technical specifications below. Every effort must be made to link your path into other local path networks, and local access officers can provide useful advice on existing and proposed local path networks.

How to apply

Complete Section 4 of the LMO application form using one of the following codes. The code for Enhancement is LMOIAM. The total applied for should be an estimate of 75% of the cost but the claim will be limited to the amount on the application.

If you are applying for a capital item then use the following codes. The code required for a Boardwalk is LMOIAW, for a bridge LMOIAB and if it is a Culvert enter LMOIAC. The amount applied for should be an estimate of 75% of the cost and we will pay up to a maximum of £150 for each item.

Eligibility criteria

You cannot apply to enhance a path that is already being enhanced, managed or maintained by another organisation or individual. Applicants must confirm that no other funding mechanism or organisation is enhancing, managing or maintaining any of the paths or facilities/capital items claimed for under this application. This is in addition to the declaration that you are not claiming payments under any other scheme.

All tarmac/bitumen surfaced motor-vehicle tracks are ineligible.

The path must meet at least one of the improving access priorities and all of the technical specifications.

Improving access priorities

1. Linking to local networks

The path must link with other routes within and at the boundaries of your land and form part of a wider network. If your path starts at or crosses a public road, consider road safety and talk to your local authority roads department before submitting your application.

2. Give access to points of attraction

The path must provide reasonably direct access across your land, providing access to a feature(s) of interest such as a viewpoint, loch, cultural or historical feature.

3. Meet a local need

If the path does not connect to a wider network and does not give access to points of attraction, you must demonstrate that it serves some other clear purpose or meets a local need.

The bridge capital item available under this measure is only eligible where the bridge is of a type which is not designed for motorised vehicle use. The bridge will be for members of the public exercising their rights under Part 1 of the Land Reform (Scotland) Act 2003 to link two paths or routes together and cannot be used for vehicle infra-structure purposes.

Path development and improvement related items under this option cannot be supported for the same access provision purpose being undertaken in other options in the Scotland Rural Development Programme. These include:

- Provision or improvements of roads bridges culverts, gates; or formation or improvement of access track to land improvement areas as part of the Crofting Counties Agricultural Grants Scheme.
- Provision and upgrading of infrastructure related to access to farm and forest land, energy supplies and water management and Access creation for sustainable forest management.
- Livestock tracks, gates and river crossings.
- Sustainable management of forests and woodlands.
- Woods in and around towns challenge fund.
- Support for diversification outwith agriculture.
- Support for the development and creation of micro-enterprises.
- Provision, development or upgrading of small scale tourist facilities by land managers.
- Information and awareness raising.
- Area access management and monitoring, and creation and upgrading of paths and routes.
- Forests for people challenge fund.
- Provisions of leisure, recreation, sporting, catering and other rural community services and facilities.

What costs could be supported

This is a five year management agreement and we will pay 75% of actual costs supported by invoices. We will pay for items referred to in the technical specification which deliver enhanced path works you have undertaken to improve access as including removing overgrown plants and grass, controlling weed encroachment, installing filter drains, providing gates, signposts and waymarkers.

You can also claim for the one-off costs of installing certain capital items. The rate of support is 75% of costs for installing boardwalks, bridges, and culverts (up to a maximum of £150 for each item). All capital items must be completed before the applicant can claim for the path enhancement works

The capital items purchased under this option must be retained in good condition for 5 years unless you can provide evidence that:

- force majeure applies; or
- the items have been replaced with an eligible item of equivalent or higher specification.

Inspections/verifications

For verification purposes the applicant must keep the receipts for all costs incurred. The applicant must identify the route on a 1:10,000 map showing the location of the path to be managed and the location and type of capital items for which the applicant is claiming funding. The map, receipts and any written confirmation must be retained for inspection purposes.

The inspector will check that the enhancement work and items are the same as specified in the approval, meet at least one of the improving access priorities, meet the technical specifications, are in working order, are being used for the specified purpose, that the claimed costs are justified. They will also check that the location of the path/route being enhanced and any associated capital items match their location on the map.

Evidence

We will send you a claim form which you must submit along with the supporting documentation by 31 August of the year following application. The evidence you provide must include detailed invoices and any other documentation in support of your claim for payment.

List of links to relevant technical guidance

The following sources may contain further information about path enhancement, management and technical information on capital items.

Information on how to provide enhanced access for people with disabilities is available in " BT Countryside for All" www.fieldfare.org.uk .

Information on path management is available on "Lowland Path Construction Guide" www.pathsforall.org.uk or about "Upland Path Management" from SNH.

Information on item designs and structures - Countryside Access Design Guide
<http://www.snh.org.uk/publications/on-line/accessguide>

Information on signposts and bridges - "Signpost Guidance" and "Path Bridges" www.pathsforall.org.uk

To find your local access officer go to www.outdooraccess-scotland.com and click on the map for Access Contact which is on the home page. You can also find out more about the Scottish Outdoor Access Code on the website.

Technical specifications.

1. Well-drained

- The path must stay firm and dry in all weather conditions. After heavy rain, water should drain away quickly without damaging the path. Good drainage is key to achieving this.
- Excavate intercepting ditches to a minimum depth of 250mm with stable slopes and establish suitable outfalls. Install filter drains of a minimum depth of 400mm and width of 300mm, backfill with coarse stone material and establish suitable outfall.
- Clear out potholes of loose and soft material and backfill with compacted weather resistant material, the finished levels must prevent collection of surface water.
- Clear out surface cross drains, clear and fill potholes and re-pack any stone pitching that has worked loose or is being undermined.
- Keep ditches, cross drains, culverts and the entrances to culverts clear of silt, debris and vegetation twice a year, usually in March and November. At the same time check that headwalls are firm and secure.

2. Fit for purpose

- The path's surface must be one of the types listed below and be suitable for the type and amount of use it has to support. No one path surface fits all purposes - the main point to remember is that the path must be suitable for its intended use. Keep the space around the route clear of obstructions for 3.5m above the path and across a width of at least 2m.
- You must enhance your path to provide improved access provision. This can include improving drainage, clearing vegetation, filling potholes and hollows, patching etc.
- Mowing/strimming, should ensure between 1m and 3m width of mown/ strimmed grass provides enhanced path provision throughout the growing season. The path must be kept free of overgrown plants, trees or grass.
- The path surface must be one of three surface types
- Natural path surface e.g. turf. Regular mowing will increase the density of grass, improving strength and durability.
- Unbound surface. Use the binding properties of the path base stone to provide a smooth surface. Spreading quarry dust onto the aggregate base will increase the binding properties of the base stone and give a smooth surface suitable for many users. Unbound surfaces are susceptible to damage from water flowing over the surface, so that careful drainage is essential.
- Sealed surface, where user numbers are higher. These surfaces use a binder, usually bitumen, to 'stick' aggregate together. They can be either a mixture of aggregate and bitumen (e.g. tarmac or bitmac) or else a layer of bitumen with chips spread onto them and rolled in (surface dressing).
- Unstable or uneven areas should be treated by filling in any potholes as above, removing loose material or debris, grading, or adding new surface material where required for a sound surface. Larger rocks may be utilised to highlight the edges or turning points of paths.

3. Free of obstructions

- Your route may cross boundaries such as fences, walls, hedges, watercourses or rock outcrops. If this is the case where required you must include gates, steps, bridges or culverts in order to enable the route to cross over.
- Access provision should always take account of the needs of people with disabilities.
- Always use gates rather than stiles, as these are more accessible. Gates must be fit for purpose. The inclusion of stiles is only acceptable where a gate or gap is not possible. The two basic types of gate in general use are the bridle (or wicket) gate and the kissing gate. Preferably use the bridle/wicket gate, as it can be used by most user types and can be constructed so that it is 'self-closing'. Wheelchair users, cyclists and horse riders cannot use kissing gates and these should only be used when bridle/wicket gates are not practicable.
- A standard timber or steel bridle/wicket gate must have a gap width of at least 1.5m (or where space is physically restricted a minimum width of 1.2m) and be fitted with self closing hinges. Choose the latch to reflect the type of user and to be safe and easy to use; the use of wire, rope, baler twine etc. to secure the gate is not acceptable.
- Bridle/wicket gates must be two-way opening, and self closing. Latches must be standard bolts or latches, preferably operable from horseback. The use of wire, twine or rope for latches is not allowed.
- All gates for non-vehicular access and gate posts must be either timber or of galvanised steel. If you are using timber gates and posts should be of CCP pressure-treated softwood or untreated hardwood.
- If a kissing gate is to be used, it must be of the largest possible size and be the least restrictive design. Latches should be unlockable to allow gate to open out of cage for maximum accessibility.
- The standard minimum width of a kissing gate is 1.5m with a minimum width of 1.2m where space is physically restricted. The cage width/diameter must be appropriate to gate width and use.
- Hang/clash posts must be firmly dug or driven into ground and concreted if required.
- All types of standard gate frames are also acceptable and must be fit for purpose.
- Where fences are cut to allow gate installation, restrain with timber or steel strainer posts.
- If drystone walls are to be cut, new end faces of stonework must be straight and even and tight to new gate posts. Timber or steel post and rail fencing must be used to tie new gates into the existing fence /wall lines as appropriate.
- Surfaces up to and through gates must be firm, level and well drained. New surfacing is not always required but the surface through the gate must be appropriate to the standard of path it is located on. If new surfacing is required, it must be 100 - 150mm depth (as required) of graded granular fill (eg. Type 1, Scalpings, road planings, sand & gravel) blinded with dust to provide a smooth, even surface. You must provide suitable falls to ensure surface water drains away.
- Where possible - for instance if there is no requirement for livestock control - use a gap as the boundary crossing. Any constructed gaps in boundaries must be a minimum of 1.5m.
- Stiles can only be installed as a **last resort** where it is not possible to provide access through a gap or gate. Stiles are impassable to wheelchairs and pushchair users and can be an insurmountable barrier to the disabled, elderly and less agile people. Stiles are also more likely than gates to cause a trip or a fall.
- Accordingly, the applicant must obtain the written agreement of the local access officer to the installation of any stiles prior to applying for the improving access option. Stiles can only be provided if there is no other alternative where a gate or gap is agreed to be impracticable.
- If the local access officer agrees to the requirement for a stile to be built it must be built to the following specification:
 - The height rise between the ground and the first step and between steps must be the same with each height rise being no more than 300mm;
 - Steps must be at least 200mm wide and 900mm long;
 - There must be no sharp edges on steps, fence rails or uprights;
 - Hand posts must be fitted; and
 - A dog gate must be fitted with a minimum gap size of 375mm high and 300mm wide.
- Where watercourses are to be crossed, bridge capital items can be supported.

- Eligible bridges include small timber bridge with a span of less than 10m. The deck must be at least 1.2m wide. Depending on the location and the hazard to be crossed if handrails are required they must be at a height of not less than 0.9m. One handrail can be used where you expect low use and/or low risk or two handrails where you expect heavier use and/or greater risk.
- The requirement for a board-walk is dictated by the ground conditions; for example a board-walk may be used on wetlands, marshes and other situations where the decking needs to be raised well above ground level. The decision on the appropriate width of a board-walk will be determined by the expected level and types of use and the width of the approach paths.
- The minimum clear width of board-walks over 5m in length must be 1.2m. A width of 1.7m must be used to accommodate two-way traffic and to provide passing places on a 1.2m wide board-walk.

4. Signposted and waymarked

- All paths must be clearly signposted at entrance points with a fingerpost showing the word 'Path', pointing the way, and if appropriate specifying a destination and the distance to that destination or a significant point.
- If the starting point of the path is not at the public road, the path must be signposted from that public road with a threshold signpost. If the path for which you are applying is a continuation of a path on a neighbouring holding, you may need to liaise with your neighbour about signposting it from the public road. Way-markers must be at places along the path that helps users to keep to the route.
- Direction signs and fingerposts must be constructed of timber, metal or recycled plastic. The posts must be 2.1m high and stable, ideally use timber posts 100mm square. Text, in a plain font of a minimum text height of 30mm must appear on both sides of the blade.
- Waymarkers, if timber, must be at least 75 mm square, treated and routed and they can be set in concrete if required.
- Where there is a recognised local format for signs or waymarkers this can be used with the agreement of your local access officer.

5. Regularly inspected

- A well-planned and well-designed route needs less work. You must check your path at least four times a year and remove overgrown plants and grass when required. You must reduce the amount of weed on paths by regularly mowing verges, and drain persistent wet ground by installing filter drains or small ditches. You must strim or mow natural path surfaces and verges at least twice a year in May and August.
- You must cut back trees and vegetation during the autumn and late spring to maintain a clear path width and height corridor.
- You must control weed encroachment into the route corridor through cutting or selective application of herbicide in April and August.