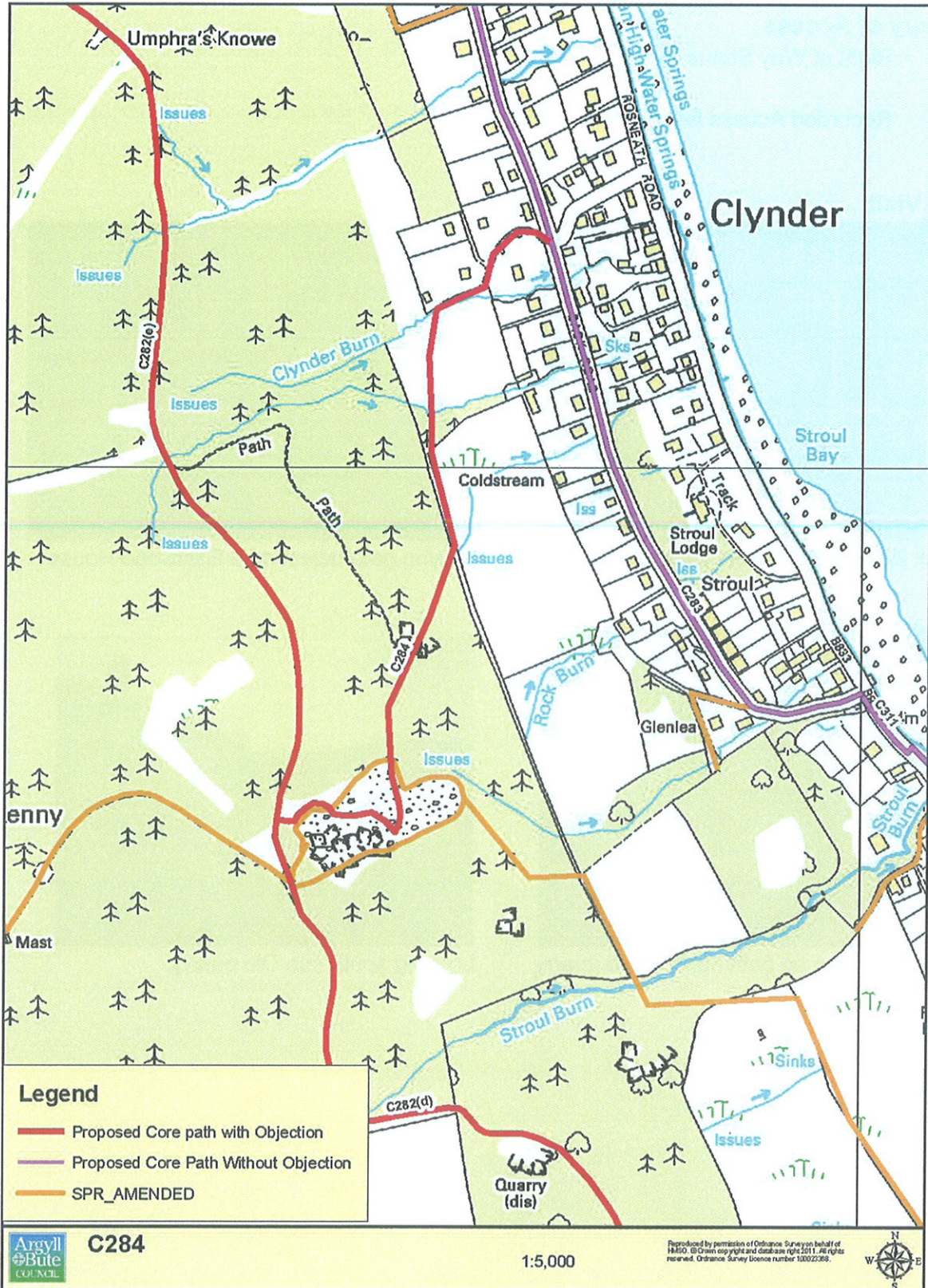


# Core Path Report for C284 Clynder High Road to Peninsula Path

## 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Respondent Name	Organisation/ Group	Objection Summary	Respondents proposed action	Respondent Ref No.	Objection withdrawn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	Health & Safety	Delete	P018/2	
Support	Michael Lidwell	Peninsula Paths			P157	

## 3. History of Access

- i. Right of Way Status: none
- ii. Recorded Access Issue: none

## 4. Site Visit



Back Road looking west towards C284



Kissing gate adjacent to Eastwood House



Muddy section on path north of old quarry



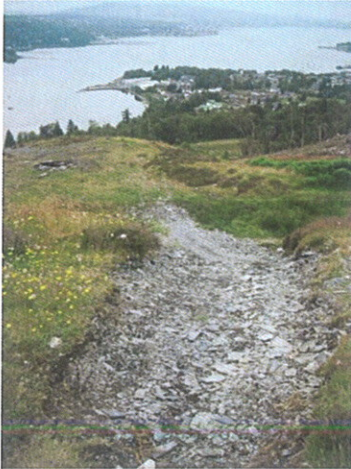
Looking south into Old quarry



Steep incline of slate in old quarry



Alternative route- situated to the left of the slate incline



View from top of slate incline looking south east towards Stroul Bay Rosneath



Another steep incline up through vegetated slope, main quarry wall to the left



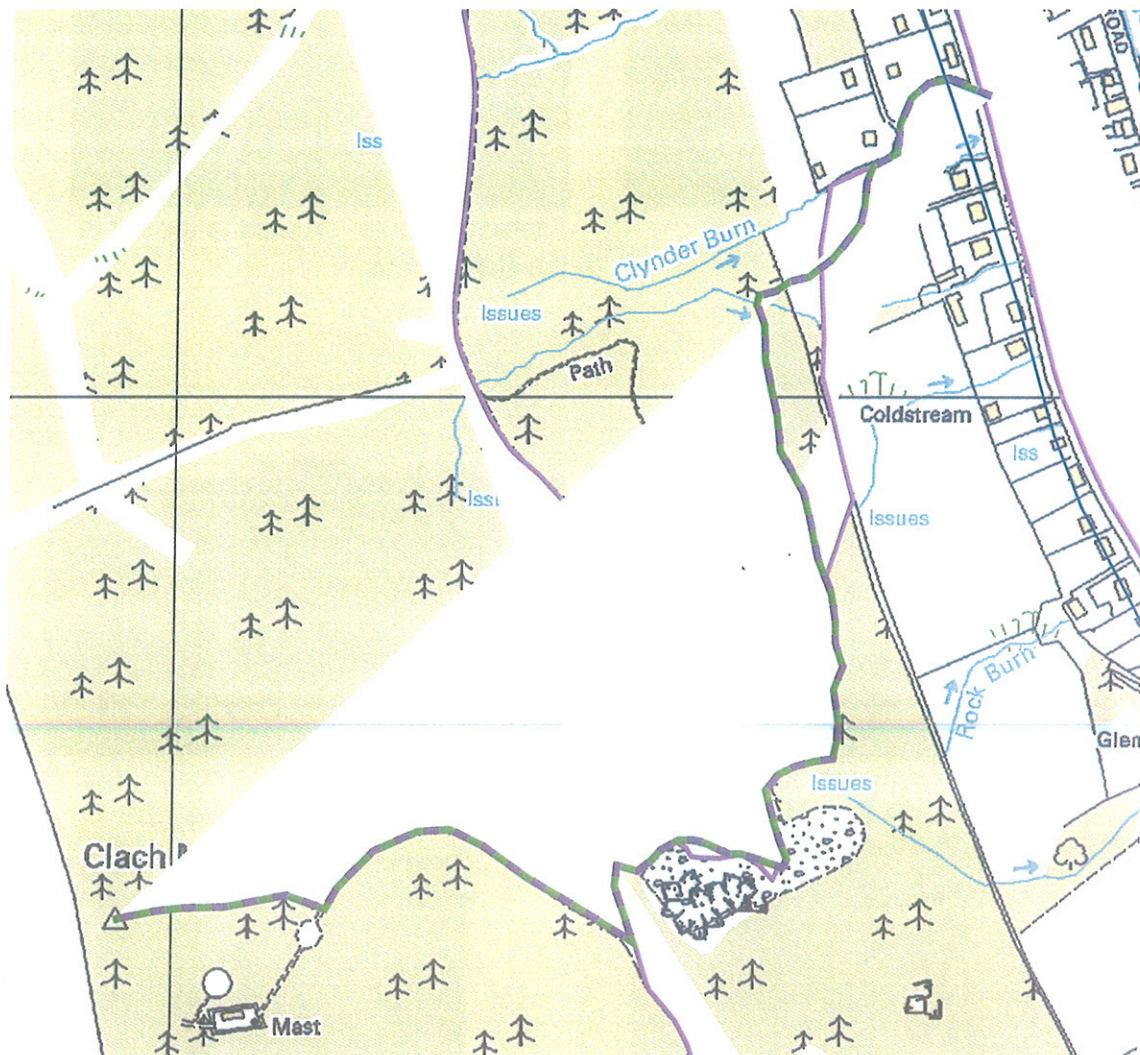
Looking south east from top of vegetated slope



Looking north along C282(e) with C284 on the left hand edge

## 5. Alternative Route/s

The supporter of this path has proposed extending the route out to the picnic bench and trig point. This has a lot of merit since a vehicular access road exists to the radio mast; and a constructed path exists to the picnic bench and trig point. The site offers good vistas of the peninsular.



Proposed amendment to C284 shown in green and purple and extending to picnic bench and trig point at Clach MacKenny



Proposed extension of route out to trig point and picnic bench



Picnic bench and trig point

## 6. Consultation with Objectors & Other Interested Parties

This route is not suitable for promotion as core path as it has sections that are steep and slippery and passes through an old slate quarry and its associated hazards. There is a history of public use at this site which will be maintained.

The path should extend to Clach MacKenny.

## 7. Access Officer's Initial Comments

Some sections of this path are wet and muddy, and there are two quite steep inclines within the site of old quarry both of which can be negotiated with ease, and show evidence of extensive use.

The quarry is marked as disused spoil heap on the current OS Map and was marked as an old quarry on the OS Maps for 1900. Since it is no longer an operational quarry it will fall within access rights. The landowner should ensure that the area safe for the public whether or not a path is promoted through the area. The fact that some of the paths are steep and slippery does not mean that they should not be promoted for public access.

**Safety of the person(s) taking access-** The Scottish Outdoor Access Code states: "If you are exercising access rights, remember that the outdoors cannot be made risk-free and act with care at all times for your own safety and that of others..."

Although The Land Reform (Scotland) Act 2003 does not increase nor diminish the duty of care owed by the land manager/land owner to another person exercising their access rights the Code references the legal principle "volenti non fit injura" stating " that a person taking access will generally be held to have accepted any obvious risks or risks which are inherent in the activities they are undertaking.

Designating the route as a Core Path may allow community groups such as Peninsula Paths to work with the land owner to access grants to improve the path and way marking, making it much more accessible for a wider range of users.

**Conclusions** – I am of the view that this path should be designated as a Core Path along with the proposed extension to the summit of Clack MacKenny. The path provides a link between the village of Clynder and the extensive area of forestry to the west as well as the summit of the hill with its views of the peninsula and surrounding sea lochs, hills and the Clyde Estuary.

Therefore I recommend that the Council continues to promote C284 as a Core Path.


## 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

For Official Use Only	Date Received	Ref No.
<b>Argyll &amp; Bute Council</b> <b>Finalised Draft Core Paths Plan</b> <b>Comments &amp; Objections Form</b>		
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]	Date 21 <sup>st</sup> March 2011

#### Sufficiency

Reference	Object	Comments
C284	Object	encouraged. Rosneath Slate Quarry – The path is steep and slippery and too close to the old slate quarry with its attendant hazards. There is a long history of public use, which will be maintained, but this is not suitable for promotion as a Core Path.

For Official Use Only	Date Received	Ref No.
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**Argyll & Bute Council**  
**Finalised Draft Core Paths Plan**  
**Comments & Objections Form**



Name	Michael Lidwell	
Organisation (if appropriate)	Peninsula Paths	
Address	Oaklea, Argyll Road, Kilcreggan	
Postcode	G84 0JU	
Daytime telephone number	[REDACTED]	
Email address	[REDACTED]	
Signature	[REDACTED]	Date 30 Mar 2011

**Sufficiency**

Once you have made as many comments as you wish to on the next page, you have an opportunity to comment on the sufficiency of the proposed Core Path Network in your area and Argyll & Bute as a whole. This may sound a strange concept but is a specific requirement that; Land Reform (Scotland) Act 2003 Section 17 - Core Paths Plan "It is the duty of the local authority, not later than 3 years after the coming into force of this section, to draw up a plan for a system of paths sufficient for the purpose of giving the public reasonable access throughout their area."

Across the whole network the Council has to demonstrate that there are sufficient paths for the many different kinds of users. The Council is therefore giving you the opportunity to comment on the "Sufficiency of the Network of Core Paths". Every user will view this question differently depending upon their chosen activities and level of fitness. Whilst we recognise that this is a difficult idea to consider the following suggestions may help;

- For instance, if you are parent with young children and a buggy and the network of paths in your home area offers you a choice of easily accessible routes of different lengths and difficulty then perhaps the Core Path Network is sufficient.
- If however you have to travel a considerable distance to enjoy a variety of routes for your chosen activity then there may not be a sufficiently good network for your particular access needs.

Please comment on the sufficiency of the Core Paths Network and indicate what you use it for i.e. walking, riding, cycling & your level of ability; i.e. prepared for rough going or seeking level easy walks.

The network includes most of the routes that I have described in a booklet of walks in the peninsula area, although a main destination at Clach Mackenny is omitted. My interest outside this area has been hillwalking, which involves routes outside the core paths remit, and largely in the National Park area. My local walking departs from the network at various points to achieve circular tours but perhaps these can not be publicised to protect farming and angling interests. Cycling in the area is mainly constrained by gradients to busy roads which can be dangerous. Clearance of roadsides and provision of pavements along the shore road by the Gareloch and over the Millbrae is very desirable.

**Return before 17.00hrs on Monday 4<sup>th</sup> of April 2011.**

C284	Support	This should be extended to the picnic table on the top of Clach MacKenny., which is a popular destination.
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**Appendix II. Copies of relevant correspondence**

**Appendix III. Copies of responses additional consultations**

**Appendix IV. Additional supporting documents**