

1. Proposed Aspirational Path



2. Summary of Representations Received

Representation	Respondent Name	Organisation/ Group	Objection Summery	Respondents proposed action	Respondent Ref No.	Objection withdrawn
Objection	Mr J Little	UPM Tilhill, on behalf of Dalmally Woodland	Business	Delete	P018/4	
Objection	Glen Orchy and Innishail Community Council (John Kerr)	Glen Orchy and Innishail Community Council	Privacy & Security	Delete	P054	
Objection	Katherine Craig		Privacy & Security/ section should be Core Path	Amend/ Add	P014	

3. History of Access

- i. Right of Way Status: None
- ii. Recorded Access Issues: None

iii. History

This route was proposed by members of the local community and in 2008 a Feasibility Study was commissioned by the North Argyll Community Trust and funded by Scottish Natural Heritage. Scottish Natural Heritage has since considered this route as part of a feasibility study for a "Pilgrims Way" linking Iona with St Andrews. However neither project has made much progress to date. The most significant issue to solve is that of finding a route through the pass of Brander. Scottish Power Renewables are currently seeking a route for buried cable between Oban and Dalmally and it has been suggested that by combining the two projects it may be possible to deliver the path in the medium term.

4. Site Visit

N/A

5. Alternative Route/s

N/A

6. Consultation with Objectors & Other Interested Parties

- i) **Houses Loch Awe Village** - Path next to houses Davar, Mo Dairach and the Sheiling should be moved higher up the hill.
- ii) **Houses at Tullich** - The section of path at Tullich and Anne Lea is too close to these properties
- iii) **Kilchurn Castle to Loch Awe** - The section between Loch Awe hotel and Kilchurn Castle should be a core path
- iv) **Forestry** - There is concern that core path status will affect the ability of the forestry manager to close the route for health and safety reason. There is also concern that the Council will request that the route be reinstated after operational works, and this could place an additional financial burden on the land owner

7. Access Officer's Initial Comments

The route is aspirational. There are no proposals to develop this path at this time and there is no finalised route. Amendments (i & ii) have been made to the original line that was shown as A002. See maps below for detail.

i) Houses Loch Awe Village

The proposed route of the path close to the houses Davar, Mo Dairach and the Sheiling has been redrawn higher up the hill although the final line of the route would be decided following further public consultation.

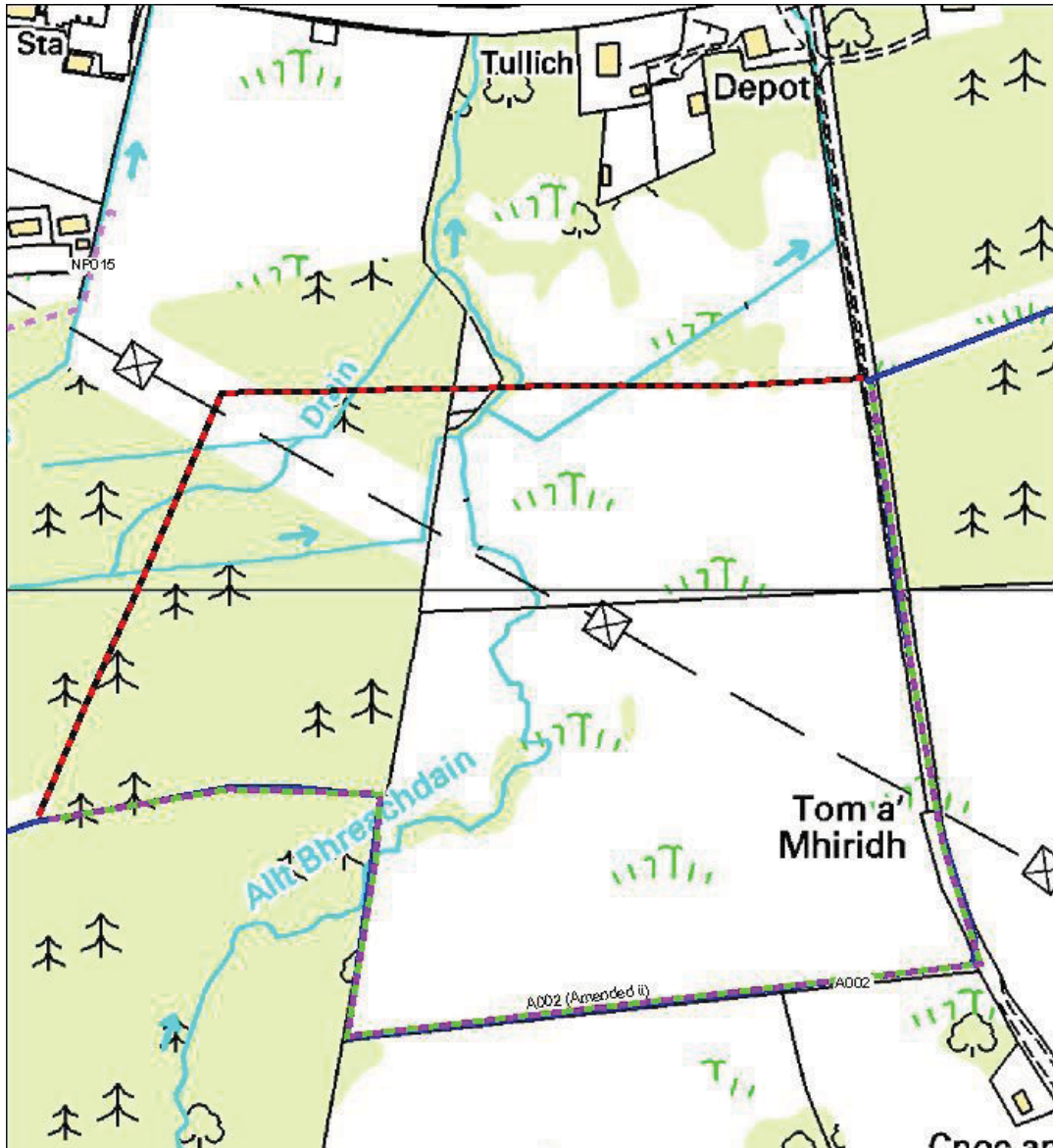
Proposed amendment (i) A002; purple and green line shows proposed new alignment of A002 at this location; red and black line shows where this section of A002 was previously drawn and is to be deleted.



ii) Houses at Tullich

The section of path at Tullich and Anne Lea was too close to these properties and has been redrawn although the final line of the route would be decided following further public consultation.

Proposed amendment (ii) A002; purple and green line shows proposed new alignment of A002 at this location; red and black line shows where this section of A002 was previously drawn and is to be deleted.



iii) Kilchurn Castle to Loch Awe

The section between Loch Awe hotel and Kilchurn Castle should be a core path



The footway beside the road is narrow, is not continuous along the whole length of this section of road and because this is a main A Road linking Oban with Tyndrum and designating it as a Core Path would not be appropriate. Creating a path on the approaches to the bridge where crash barriers have been installed would be both complex and costly because of the need to ensure that the barriers continued to provide motorists with protection. There is no footway between the bridge over the River Orchy and the junction with the B8077 and users would have to resort to the rough mown road verge. Even with the provision of a path over this distance it would be unlikely to attract many recreational users wishing to visit the castle because it would not be a pleasant experience.

However if further consultation with the community demonstrates that the community wishes to create a path between Loch Awe hotel and Kilchurn Castle then this section of path should be prioritised for development. This is likely to require a new bridge to the west of the road bridge which would require a substantial capital investment. It is also likely that Transport Scotland as the Trunk Road Authority and Network Rail would need to be consulted on any proposed solution because it could impact on their interests. However this link might be justified particularly if it allowed users to continue to Dalmally a distance of around three miles linking the communities for walkers and cyclists.

Photographs of the A85 to show the issues highlighted above.



Turn off to B8077; There is a narrow footpath from Lochawe village to this point as can be seen in bottom left of photograph.



Continuing east towards Dalmally from B8077 turn off; note the absence of a footway on both sides of the road and the rough nature of the verges.



Road bridge over River Orchy; note the narrow footways and proximity to the traffic on this main A Road.

iv) Forestry

There is concern that core path status will affect the ability of the forestry manager to close the route for health and safety reasons. There is also concern that the Council will request that the route be reinstated after operational works, and this could place an additional financial burden on the land owner.

This is an Aspirational Path and it is not being proposed as a Core Path. We do not believe that the concerns over possible management restrictions of the route are valid objections to the Core Paths Plan as the proposal is only indicative of an Aspirational Path and it is not being proposed as a Core Path at this time. The purpose of identifying an Aspirational Path is to ensure that future development will not obstruct the route and where possible to deliver the path through Planning Gain.

Conclusion

There is a desire to see a path linking Tyndrum and Oban and this Aspirational Path is indicative of this desire, however at this time no funding has been secured for the project to be taken forward. If funding were to be secured for this project to proceed it would be necessary to negotiate with the land owners/managers to agree the precise line of the route and any adjustments that would be required.

Aspirational Paths will not be promoted routes. The purpose of identifying an Aspirational Path is to ensure that future development will not obstruct the route and where possible to deliver the path through Planning Gain.

I recommend that this path remains as an Aspirational Path at this time because the community have shown support for it's eventually construction. There are also proposals for a Pilgrim's Way that could use this route bringing economic benefits to the local communities along this route.

8. Advice received from the Access Forum

Argyll and Bute Council Core Path Plan Finalised Draft 2012 Minute of Discussions by the Access Forum

Path Number: A002

Path Name: Taynuilt - Tyndrum

Forum Members Present

- Niall Macalister Hall (Chair)
- Tony Charlesworth
- Mike McManus
- Jan Dunlop
- Dave Tomlinson
- Nick Halls
- Malcolm Holder
- Tim Lister

Declarations of Interest

- None

Members Familiar with the Location

Discussions

- Privacy
- Health and Safety
- Distance from house and farm
- Pros and cons of the two alternatives at Dalmally

Access Forum Advice to Argyll and Bute Council

- ☒ Support Officer's Recommendation (in Section 7)
- ☐ Object to Officer's Recommendation (in Section 7)
- ☐ Mixed opinion amongst Access Forum members (record all views below)

Majority View

Support Officers recommendation to keep as aspirational path. Although not definitive the line of the original amendment at Dalmally is the preferable line to be recorded at this time.

Minority View

9. Access Officer's Final Recommendations

It is recommended that the route continues to be recorded in the plan as an Aspirational Path and that the amendments proposed in the report are made, with the exception of that proposed at Tullich where the original route should continue to be proposed.

SNH has recently funded Argyll & Bute Council to employ a consultant to develop proposals for the delivery of this route and will start work during 2013.

10. Appendices

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


P018/4

For Official Use Only	Date Received	Ref No.
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Argyll & Bute Council

Finalised Draft Core Paths Plan


Comments & Objections Form



Name	Mr J Little		
Organisation (if appropriate)	UPM Tilhill, on behalf of Dalmally Woodland		
Address	Claremont, Glencruitten, Oban, Argyll.		
Postcode	PA34 4QA		
Daytime telephone number			
Email address			
Signature			
	Date	22.03.2011	

Path / Launching Point Number	Support / Object to Proposal	Comments on individual paths or launching points
A226 and A002	Objection	Dalmally Woodland - These proposed Aspirational Paths partly use the existing forest roads and tracks. The landowner is concerned that if the Aspirational Paths became a Core Path conditions may be placed on their ability to close the route for health & safety reasons and the possibility of the Council requesting the route be reinstated after operational use could place an additional financial burden on them.

P014

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

Name	KATHERINE CRAIG		
Organisation (if appropriate)			
Address	TOWER OF GLENSTRAE, LOCHAWA.		
Postcode	PA33 1AQ		
Daytime telephone number	[REDACTED]		
Email address	[REDACTED]		
Signature	[REDACTED]	Date	12.3.11

RECEIVED
15 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.

IF THE ASPIRATIONAL A002 PATH WAS TO BE CREATED THIS WOULD BE A GREAT ASSET TO THE AREA. FOR THE RESIDENTS AND MANY TOURISTS.

Return before 17.00hrs on Monday 4th of April 2011.

Path / Launching Point Number	Support / Object to Proposal	Comments on individual paths or launching points
A002	OBJECT	<p>I AM COMMENTING ON TWO SECTIONS OF THIS ASPIRATIONAL PATH:</p> <p>① THE SECTION THAT LIES NORTH OF THE THREE BUNGALOWS IN LOCHANE VILLAGE NAMED "DAVAAR," "MO DAIRACH," AND "THE SHALING" THE PATH RUNS TOO CLOSELY TO THESE PROPERTIES HOUSES + USERS COULD LOOK DIRECTLY DOWN INTO THESE HOUSES. THE PATH SHOULD BE LOCATED FURTHER UP THE HILL TO PRESERVE THE RESIDENTS' PRIVACY.</p> <p>② THE SECTION FROM LOCHANE HOTEL TO KILCHURN CASTLE SHOULD NOT BE 'ASPIRATIONAL' BUT SHOULD BE A CORE PATH. MANY TOURISTS WALK FROM THE HOTEL TO THE CASTLE AND A PATH IS NEEDED URGENTLY.</p>

Argyll & Bute Council

Finalised Draft Core Paths Plan

Comments & Objections Form



Name	JOHN KERR	
Organisation (if appropriate)	GLEN ORCHY AND INNISHALL COMMUNITY COUNCIL	
Address	ARICHAITH, GLEN ORCHY	
Postcode	PA33 1BD	
Daytime telephone number	[REDACTED]	
Email address	[REDACTED]	
Signature	[REDACTED]	Date 18 MARCH 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."

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- 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 core pathway network in our community council area is sufficient.

Path / Launching Point Number	Support / Object to Proposal	Comments on individual paths or launching points
A002	OBJECT	THE OWNERS OF TULLICH AND ANNELEA TO THE EAST OF DALMALLY CONSIDER A002 TO BE TOO CLOSE TO THEIR PROPERTY.
A201	QUERY	RIVER CROSSING SHOWN ON THE RIVER ORCHY AT INVERLOCHY WHICH DOES NOT EXIST.
		GENERAL SUPPORT FOR CPN IN OUR AREA.

Appendix II. Copies of relevant correspondence

Appendix III. Copies of responses additional consultations



Argyll and Bute Council Core Paths Plan
Finalised Draft 2012
Objection Report Representation

Path or Launch Point No. & Name: A002 Taynuilt to Tyndrum.pdf

Object To Officer's Recommendation

Comment:

Your name: Dalmally Forest Partnership C/O Turley Associates

Serial No. 91

Email address:

Address & Phone:



Argyll and Bute Council Core Paths Plan
Finalised Draft 2012
Objection Report Representation

Path or Launch Point No. & Name: A002 Taynuilt to Tyndrum.pdf

Object To Officer's Recommendation

Comment: The Proposed Aspirational Path A002 Taynuilt to Tyndrum is located within land owned by the Dalmally Forest Partnership. Our client is concerned that the designation of this path as an Aspirational Path could in future lead to designation as a Core Path, which brings with it legal constraints which we believe are detrimental to their interests, and could impinge on the management of the forest. Therefore, we would note again that Dalmally Forest Partnership is opposed to any such designation of the path network within its landholdings.

Your name: Dalmally Forest Partnership, C/O Turley Associates

Serial No. 92

Email address:

Address & Phone:
Turley Associates
115 George Street
Edinburgh
Eh2 4in



Argyll and Bute Council Core Path Plan
Finalised Draft 2012
Objection Report Representation

RECEIVED

04 JUL 2012

Please use a separate form for each path or launch point.

Number of the Core Path, Aspirational Path or Launch Point you wish to make a comment on.

Path or Launch Point No.: A002

Path Name: TAYNUILT - TYNDRUM

Place a cross 'X' in one box only below.

- ☐ Support Officer's Recommendation (in Section 7)
☒ Object to Officer's Recommendation (in Section 7)

In a small number of the reports the Access Officers have not made a recommendation and are seeking your views on the designation of the path.

Please do not restate views, opinions or information already in the reports. Please make any new comments clearly and concisely.

Comment:

I WONDER WHY THE PATH HAS BEEN MOVED SOUTH ACROSS MY PROPERTY TO CLOSE TO BRACKLEY FARM BUNGLOW. THE REASON GIVEN "PRIVACY" TO TULLICH AND ANNUELA. THE PROPOSED PATH IS NOW CLOSER TO THE BUNGLOW THAN IT WAS TO THE AFORE MENTIONED PROPERTIES? IT ALSO IS NOW IN A LESS FAVOURABLE LOCATION WITH REGARD TO MY FARMING BUSINESS AS IT NOW CROSSES 2 FIELDS AS OPPOSED TO THE PREVIOUS POSITION WHERE IT RAN ALONG THE FARM BOUNDARY.

Your Name: SUBIL CRERAR

Organisation: J & A CRERAR. SHEEP & CATTLE FARMERS.

Email (Your email address will be used as your signature if submitting by email):

Address & Phone: BRACKLEY FARM
DALMALLY
ARGYLL PA33 1AX

Signature (if submitting a paper copy):

Post to: The Outdoor Access Team, Argyll and Bute Council, Development and Infrastructure Services, 1a Manse Brae, Lochgilphead PA31 8RD or Email to corepathenquiries@argyll-bute.gov.uk - From MS Word; Select File and Send, then Email to do this quickly.

From: House, Syd [REDACTED]
Sent: 03 July 2012 14:27
To: Gritten, Jolyon
Cc: Jamieson, Elaine; Roland Stiven
Subject: FW: Timber Transport and Public Access

Dear Jolyon,

Thanks for your email of 19 June re the above.

It is unfortunate that the issue of timber transport and public access has become polarised in Argyll & Bute to an extent that I have not experienced elsewhere. By its very nature, Argyll & Bute is a rural area where, broadly speaking, most residents and visitors have had a long history of access to the countryside albeit following traditional permissive approaches. Forests and woodlands, in particular, have played a significant role in that (for example, the first Forest Park in GB, where access was actively promoted, was the Argyll Forest Park set up in 1935). The designation of Core Paths 'to give the public reasonable access throughout the area' might be construed by some to be less necessary in a region such as Argyll than in other, more heavily populated localities. Be that as it may, FCS is a supporter of the Scottish Outdoor Access Code and the designation of core paths. What we are doing is seeking to ensure a reasonable balance between the desire to promote 'reasonable access' and the ability of the forest manager to carry out forestry management activities without undue additional burdens.

As you may know FCS has been tasked by the National Access Forum to develop a draft protocol to facilitate liaison between forestry interests and access authorities regarding management of access on core paths. This draft will then be subject to consultation with wider stakeholders followed by seminars to promote its contents. The intention is that this exercise will be completed by the end of March 2013. Once in place, this will give access and forestry stakeholders a clear basis for accommodating each other's interests within the context of the SOAC. It's a pity this was not in place earlier as it might have answered many of your queries.

Because of the nature of the debate in Argyll, we will seek to hold a suitable seminar in Argyll & Bute to highlight the approach recommended. In the meantime however we have to deal with the current situation as it is.

Broadly speaking, the forestry sector, both state and private, has a very good track record of supporting public access to forests and managing it positively to fit in with forestry operational activities. As I understand it, forest managers are concerned that, in some forest road locations in Argyll & Bute, core path designation *may* not be appropriate because the road is used regularly by heavy timber traffic. The main reasons are;

- that core path designation would promote, via maps and other advertising, an unrealistic expectation of quiet access to recreational users at odds with regular use by heavy timber traffic;
- that this might result in a conflict of use
- that the operational use of the forest road may be compromised by the designation and place an unreasonable burden on the forest manager
- that access and use of the forest roads under scrutiny for recreational pursuit in question is accepted by the forest manager but that core path designation is not as it will remove flexibility of forest management

I have no doubt that the pending work requested by the NAF will largely answer these concerns.

In the the meantime, I understand that around one-third of the proposed core paths for Argyll & Bute are located on forest roads and paths. Most of these proposals have been accepted by the local forest manager, including my FCS colleagues in West Argyll Forest District and Cowal

&Trossachs Forest District who manage the National Forest Estate, though with some exceptions. By and large therefore we have no further comments to make on submissions with the exception however of 3 core path proposals all around Dunoon on (a) C223 (Dunans Loop to Inverreck and LLTNP boundary), (b) C211(a) Ardnadam Heritage Trail Loop and (c) C488 Dunloskin Wood. After due deliberation, we are inclined, reluctantly, to object to these core path designations on the basis that :

- there are existing alternative access routes in and around this area - (NB access to forests using forest road access is good both locally and generally within the A&B Council area)
- that these are very important Timber Haul Routes and it would not be appropriate to advertise them as core paths for recreational users
- that core path designation may impact on the primary function of the roads as a timber haul route (which is to remove timber traffic from the travelling through Dunoon) and might compromise the goodwill of forest managers elsewhere who may be considering collaborative projects to upgrade forest roads in Argyll which seek to minimise the impact of timber traffic on fragile rural public roads
- that the roads may still be used for recreational purposes in accordance with the SOAC; it simply won't be advertised as a core path

I attach our detailed objections for each of the proposals. I do not believe that removal of these routes will compromise access in and around Dunoon.

I have not responded to the proposed designation of the NP002 Torinturk to Kilberry road as it is really for local managers to lead on that aspect. Broadly speaking, Strategic Timber Routes **may** be suitable as core paths but I would recommend each case be looked at individually as circumstances will vary. Re your reasoning on why forest roads should be core paths, one might turn your logic around in some locations - why declare Strategic Timber Haul Routes to be a core path , which may unduly constrain the forest manager , when access for recreational users is low-key and generally available on other paths?

As regards the application forms for the STTF, almost invariably each application for a forest road makes the case for the benefits of additional public access and undoubtedly such benefits do accrue . I am not convinced however that this means every STTF must become a core path by definition. The community and social benefits are not simply based on a new route created but on the reduced access points, impacts on the public road and in forest haulage reducing disruption to fragile local communities. I'm not sure that seeing the application forms will help throw any further light on the topic but I have copied this response to Roland Stiven [REDACTED] Confor, the Timber Transport Forum Project Officer who helps administer the STTF, who may be able to help. You can also view project proposals on <http://www.forestry.gov.uk/STTF> .

Please find attached our comments on each of the core paths listed above including the objections. We would like both this letter and the individual comments to be available to the reporter when making their decision. We would be happy to discuss this further and to discuss the pending work of FCS in taking forward the protocol.

Yours sincerely

Syd

Syd House
Conservator
Perth & Argyll Conservancy
Tel: [REDACTED]

* The attachment contains Objections to Core Path Designation on Dunoon on:

- (a) C223 (Dunans Loop to Inverreck and LLTNP boundary),
- (b) C211(a) Ardnadam Heritage Trail Loop and
- (c) C488 Dunloskin Wood.

together with comment on the following roads :

1. NP 002 Torinturk
2. C172(a) Loch Avich
3. C199 Furnace
4. C200 Coille Bhraghad Inveraray
5. C303(b) Claonaig (Kintyre Way)
6. C458 Dalriada no. 9 lock
7. C468 Garelochhead
8. C520 Loch Nell
9. A002 Taynuilt to Tyndrum
10. A016 Barguilean
11. A121 Laggan Burn
12. A124 Glen Forsa
13. A200 Polvinster Oban
14. A226 Dalmally
15. A247 Salachray

1.	A002 Taynuilt to Tyndrum	<p>Not a strategic timber haul route. Work on going with FCS and National Access Forum (NAF) will address concerns re. Closure procedure.</p> <p>Main areas of concern regarding sustainability of route – long term maintenance and management of route.</p>	Comment only
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General comments;

There is repeated reference to forest roads being reinstated within a few months of harvesting for replanting. There is often a significant fallow period before replanting due to weevils or other constraints and it is not correct to say that reinstatement may occur in this timescale. Reinstatement may also be subject to other restrictions under the Wildlife and Countryside act - with operations already having to work in tight timeframes.