

EAST AYRSHIRE COUNCIL
CABINET – 5TH NOVEMBER 2008
FINALISED CORE PATH PLAN

Report by Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

- 1.1 To update the Cabinet on work carried out so far in the development of the Core Path Plan, to seek approval to implement the amendments to the Draft Core Path Plan, to adopt the Finalised Core Path Plan and to approve the proposals for publication of the Finalised version of the Core Path Plan and the wider path network.

2. BACKGROUND

- 2.1 The East Ayrshire Outdoor Access Strategy which was approved by Community Services Committee on 29th May 2002 aims to develop:

"A series of well planned, co-ordinated and used path networks which will provide connections between communities, meet the social and health needs of communities, realise the area's tourism potential, promote more sustainable transport choices and support economic and environmental regeneration."

- 2.2 In conjunction with the East Ayrshire Outdoor Access Strategy, the East Ayrshire Core Path Plan aims to:

- Provide connections between communities,
- Meet the social need and health needs of the communities,
- Realise the area's tourism potential,
- Promote more sustainable transport choices and
- Support economic and environmental regeneration.

- 2.3 Under Section 17 of the Land Reform (Scotland) Act 2003, Local Authorities must draw up a draft Core Path Plan, which will provide the basic framework of routes sufficient for the purpose of giving the public reasonable access throughout their area. The East Ayrshire Core Path Plan has being prepared by East Ayrshire Council in partnership with the East Ayrshire Outdoor Access Forum.

3. CONSULTATION AND AMENDMENTS

- 3.1 The main objective of the Core Path Plan is to develop a document detailing a network of paths giving sufficient access for each community and this has been achieved through extensive consultation during the following stages:

- Informal consultation with interest groups, landowning and managing groups and the general public. This stage has been carried out in partnership with North Ayrshire Council through the development of a

Core Path Plan Toolkit. The toolkit was developed to facilitate an audit of paths throughout East and North Ayrshire and included path survey sheets, user survey sheets and maps of the area;

- Development of criteria to select which paths in the network will become candidate core paths. This was done in partnership with the East Ayrshire Outdoor Access Forum;
- Informal consultation over the candidate core paths took place between January and October 2007;
- Production of the Draft Core Path Plan;
- Formal consultation of the Draft Core Path Plan from 14th July 2008 to 6th October 2008.

3.2 During the formal consultation of the draft core path plan a comprehensive path audit was carried out by the East Ayrshire Ranger Service. This has been used to inform the finalised core path plan and provides a current record of route condition.

3.3 27 representations were received during the formal consultation period. Only 1 of these was a formal objection to the entire plan. This objection has now been discussed and formally withdrawn. 4 requests were made for route re-alignments, 2 requests for route omissions, 4 requests for additional routes to be included and the remainder were general observations. Appendix One outlines the proposed changes to the draft core path plan. These changes have either been suggested during the consultation period or in light of the path audit.

4 STRATEGIC ENVIRONMENTAL ASSESSMENT

4.1 The East Ayrshire Core Path Plan is likely to have significant environmental impacts and is a land use document that will outline the existing provision of outdoor access to land and inland water and will guide future development in order to protect or enhance this provision. Therefore, a Strategic Environmental Assessment (SEA) under the provisions of the Environmental Assessment (Scotland) Act 2005 was required. As the East Ayrshire Core Path Plan is a qualifying plan or programme, as defined by Section 5(3) of the above Act, it avoided the requirement to undertake screening as defined in Section 9 of the Act. East Ayrshire Council made the determination that the Core Path Plan required an SEA on 1st November 2006 and complied with the advertisement requirements in Section 10 of the Act.

4.2 The overall purpose of the SEA of the East Ayrshire Core Path Plan was to identify, describe and evaluate the likely significant effects, positive or negative, that the core path plan may have on the environment.

4.3 As required by Act the SEA process had to be fully integrated with the development of the East Ayrshire Core Path Plan and both processes were run in parallel and were clearly defined. The Environmental Report was issued for public consultation at the same time as the formal consultation of the draft core path plan. No public representations were received.

4.4 Section 18(1)(a)(iii) of the Environmental Assessment (Scotland) Act 2005 requires the Council to publish a 'statement' (hereafter referred to as an SEA

Statement) to accompanying the adopted Core Path Plan, as soon as reasonably practical after adoption of the Core Path Plan. The contents of the SEA Statement are specified by Section 18(3) of the Act, which are as follows:

- (a) how environmental considerations have been integrated in to the plan or programme;
- (b) how the environmental report has been taken into account;
- (c) how the opinions expressed in response to the invitations mentioned in section 16 have been taken into account;
- (d) how the results of any relevant consultation under regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (S.I. 2004/1633) have been taken into account.
- (e) the reasons for choosing the plan or programme as adopted, in light of the other reasonable alternatives considered; and
- (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

4.5 The results of the SEA, which are detailed in the Environmental Report, are required to be taken into account when finalising the Core Path Plan. However, it should be noted that although the environmental assessment must be taken into account when making the decision on the final content of the Core Path Plan, the plan does not necessarily need to take on board any of the recommendations that have been made in the Environmental Report or during the consultation process. However, it is vital that the Council show how the Environmental Report and consultation responses have been taken into consideration even if they do not lead to any changes in the plan.

4.6 The Core Path Plan SEA Statement outlines the consultation responses and the environmental considerations which have been taken into account during the development of the Finalised Core Path Plan.

5. IMPLEMENTATION OF THE FINALISED CORE PATH PLAN

5.1 The requirements of the Land Reform Scotland Act 2003 are to have the adopted core path plan available on the internet and in hard copy for inspection in key Council buildings. To comply with this legislation it is the intention to have the core path plan added to the on-line mapping system currently available on www.east-ayrshire.gov.uk. This will allow members of the public to download individual maps at their chosen scale and to add other features that are also available. This might include places of interest such as museums or parks and open spaces.

5.2 To supplement this, the core path plan will be made available for inspection at all local libraries and Dean Castle Country Park Visitor Centre. The Core Path Plan will be kept with the East Ayrshire Rights of Way register.

5.3 In addition to this, it is also intended to produce a comprehensive publication of routes throughout East Ayrshire which will include core paths, rights of way and all other designated paths. This publication will include detailed route descriptions, places of interest and things to see and will show the entire East Ayrshire Path Network.

5.4 All core paths are required to be signed within 2 years of the Core Path Plan being adopted.

6. FINANCIAL IMPLICATIONS

6.1 There are no additional financial implications arising from this report.

7. LEGAL AUTHORITY/ IMPLICATIONS

7.1 Production of a Core Path Plan is a duty of the local authority under Section 17 of the Land Reform (Scotland) Act 2003, Local Authorities must draw up a draft Core Paths Plan by February 2008, which will provide the basic framework of routes sufficient for the purpose of giving the public reasonable access throughout their area.

8. POLICY IMPLICATIONS

8.1 The project is informed by the East Ayrshire Outdoor Access Strategy, the Community Plan and local/national strategies relating to tourism and economic development, biodiversity, health promotion, health inequalities and social inclusion. The Core Path Plan will have implications for the Local Plan, Leisure and Cultural Strategy, draft Open Space Strategy and will contribute to delivery of the Community Plan outcomes.

9. CONCLUSIONS

9.1 This Outdoor Access Unit has made significant progress in implementing the East Ayrshire Outdoor Access Strategy, particularly by ensuring that outdoor access not only meets the traditional recreational agenda, but also has a significant role in developing the tourism potential of East Ayrshire and supporting healthy lifestyles and social inclusion.

9.2 The East Ayrshire Core Path Plan will provide a major step forward in the promotion of a comprehensive path network throughout East Ayrshire. Combined with an up to date path audit and a monitoring system.

10. RECOMMENDATIONS

10.1 It is recommended that Cabinet:

- (i) approve the amendments to the Draft Core Path Plan;
- (ii) approve the responses to the comments received to the Consultative Draft Environmental Report, which are contained in the SEA Statement;
- (iii) adopt the Finalised Core Path Plan and Environmental Report;

- (iv) approve the SEA Statement and authorise the Executive Director of Neighbourhood Services to undertake the necessary advertisement requirements as specified in the Environmental Assessment (Scotland) Act 2005;
- (v) approve the recommendations for implementation of the East Ayrshire Core Path Plan; and
- (vi) and otherwise note the content of this report

William Stafford
Executive Director of Neighbourhood Services

WS/JAG
20th October 2008

LIST OF BACKGROUND PAPERS

1. East Ayrshire Core Path Plan
2. East Ayrshire Outdoor Access Strategy
3. Environmental Report
4. The Core Path Plan SEA Statement
5. Core Path Plan Consultation Report

Any person wishing to inspect the background papers listed above should telephone (01563) 554748 and ask for Anneke Freel, Countryside Development Manager

Implementation Officer – (john.griffiths@east-ayrshire.gov.uk)

Proposed changes to the draft core path plan.

Area	Route No.	Proposed Amendment	Justification
Annick			
	A1	The starting point of this route needs to be changed from Kirk Glebe to Kirkford Bridge, Stewarton.	The section of the route between Kirkford Bridge and Kirk Glebe was never upgraded as originally intended. This section will continue as a right of way, but will not be designated as a core path.
	A2	This route will be extended to link into the housing development at Arran View, Stewarton.	This small extension was suggested during the consultation as an important link through Cunningham Watt Park to Stewarton Railway Station.
	A7	Route to be re-aligned through Commoncraigs Community Woodland, Dunlop.	During the consultation period, it was suggested that recently developed routes through the community woodland to the South east of Dunlop be included. This takes the route away from the existing farm track. The farm track will continue to exist as a right of way.
	A8	The section at Thornhill Farm, Stewarton is to be removed.	Following the path audit, it was recorded that no route exists through this field with no crossing over the watercourse.
	A12	The section between Chapelton Bridge and Wheatrig Bridge is to be removed.	This section of the route is within North Ayrshire and has not been included in the North Ayrshire draft core path plan.
	A16	Route to be realigned through Over Borland, Dunlop.	The original route from Blackburn Bridge, Dunlop no longer exists. The path audit identified an alternative route which will keep A16 as a circular starting from Dunlop Parish Church.
	A18	Section from Craigholm in Lugton to Uplawmoor is to be removed.	This section of the route is currently impassable. However, it would be a good project for future development and inclusion.
Irvine Valley			
	IV12	Route to be extended along northern bank of Craigdunton Reservoir	Following consultation with the Whitelee Forest Access Officer, this route is being proposed as part Whitelee Forest path network.

	IV15	This route is being re-aligned from Knevocklaw Farm, Darvel to the Weaver's Trail.	During the consultation period it was highlighted that the route through Knevocklaw Farm did not exist but ran parallel to the Weaver's Trail.
Kilmarnock Area			
	K1	The route is to be re-aligned to follow the correct route.	An error in the draft core path plan depicted the wrong line of this route.
	K11	Route to be re-aligned to follow an off road alternative to the proposed core path. Also section from Loreny Industrial Estate to the A77 to be removed.	The consultation exercise highlighted potential conflict issues that may arise. The landowner has suggested an alternative route which takes the first section of the path away from the main drive through Caprington Estate. The section from Loreny Drive to the A77 was highlighted as being unsafe during the path audit. This section is currently the subject of a feasibility study by the Roads Division and may be included when the Core Path Plan is revised.
Ballochmyle			
	B13	This route is to be removed.	During the path audit it was recorded that this route is currently unsafe and impassable. However, it would be a good project for future development and inclusion.
	B15	This route to be extended to include path to Wellwood Avenue and Millers Road, Muirkirk.	The consultation highlighted that the links into the housing estates on the eastern and western edges of Smallburn Plantation in Muirkirk, were missing.
Cumnock Area			
	C1&2	These routes to be extended to include path link to Bank Glen, Cumnock	The consultation highlighted that the link into the housing estate in Bank Glen, Cumnock was missing.
	C5	This route is to be removed.	During the path audit it was recorded that this route is currently unsafe and impassable. However, it would be a good project for future development and inclusion.
	C9	This route has to be re-aligned between Rodinghead Farm, Drongan and Clydenock Farm, Ochiltree.	The consultation highlighted a safer off road alternative to this route, which still keeps the same destination points.
Doon Valley			
	D2	The section	This section of the route is within

		between Millmannoch Bridge and Barbieston Bridge is to be removed.	South Ayrshire.
	D4	The section between Rankinston and Sinclairston is to be removed.	During the path audit it was recorded that this route is currently unsafe and impassable. However, it would be a good project for future development and inclusion.
	D9	Route to be re-aligned to follow an off road alternative to the proposed core path.	The consultation exercise highlighted potential conflict issues that may arise. The landowner has suggested an alternative route which takes the first section of the path away from the main drive through Skeldon Estate. In consultation with various community groups in Dalrymple, the new route would be a better alternative.
	D19	This route has to be re-aligned between Rodinghead Farm, Drongan and Clydenock Farm, Ochiltree. This route is a continuation of C9.	The consultation highlighted a safer off road alternative to this route, which still keeps the same destination points.