

North Lanarkshire Council Report

Environment and Climate Change Committee

Does this report require to be approved? ☒ Yes ☐ No

Ref LR/VA/MCK

Date 01/05/24

Core Paths Plan Review – Progress Report

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Executive Summary

The purpose of this report is to provide an update on the current Core Path Review and seek approval for the proposed process for assessment and consultation.

The council has a statutory duty to prepare a core path plan and may undertake reviews periodically. North Lanarkshire's Core Paths Plan was formally adopted in 2011.

This is the first full review of this plan, and the scope will include.

- (1) Proposed additional Core Paths
- (2) Proposed amendments to Core Paths
- (3) Core Paths proposed for removal from the plan.

Following this review and consultation, and any ministerial direction, the revised core path plan will be brought to committee for approval to adopt.

Recommendations

It is recommended that the Environment and Climate Change committee:

- (1) Recognise the considerable work that has been undertaken up to and including phase 1 (evidence and assessment) of the Core Path Review.
- (2) Endorse the approach for phase 2 (public consultation) of the Core Path review to continue this year including seeking ministerial determination if any objections are made and not withdrawn during the public consultation phase.

The Plan for North Lanarkshire

Priority	Improve the health and wellbeing of our communities
Ambition statement	(15) Encourage the health and wellbeing of people through a range of social, cultural, and leisure activities
Programme of Work	Statutory / corporate / service requirement

1. Background

- 1.1 The introduction of the Land Reform (Scotland) Act 2003 established statutory public rights of responsible access to most land and inland water.
 - 1.2 The act specifically established a right to land for recreational, educational, and certain other purposes and a right to cross land. Local authorities are the access authority for their area and have specific duties and powers under the Act including the development of a Core Paths Plan and establishing a local access forum.
 - 1.3 The rights apply to any non-motorised activities, including walking, cycling, horse-riding and wild camping. They also allow access to inland water for canoeing, rowing, sailing, and swimming.
 - 1.4 Section 20 of the Act places a duty to prepare a Core Paths Plan and ensure it is reviewed periodically.
 - 1.5 The legislation also requires local authorities to set up a Local Access Forum. Since the Core Paths Plan was produced the North Lanarkshire Outdoor Access Forum have played a key role in providing a local voice on behalf of residents and working with the council to ensure the network fulfils the obligations of the Act.
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2. Report

- 2.1 North Lanarkshire Council's Core Paths Plan [Core paths in North Lanarkshire | North Lanarkshire Council](#) was formally adopted in October 2011. It established a network of paths sufficient for the purpose of providing reasonable non-motorised access to allow residents to travel across the whole of the local authority area.
- 2.2 Following extensive consultation, meetings with landowners and those raising objections during the consultation process, a total of 304 core paths were identified with a total length of 378 miles, the majority of which, 254 miles are within council ownership.
- 2.3 The core path network is now firmly established across North Lanarkshire linking communities with and between places that are important to their everyday needs and providing an opportunity for people to make a choice to leave the car behind and travel actively to local destinations.
- 2.4 Since coming into being, changes to the plan have been made at appropriate intervals e.g. following planning decisions to divert core paths. There has also been a significant level of development, which includes new paths (e.g. Ravenscraig and M8/M74 upgrades), and new communities, which have not been included thus far as part of the core path network. To ensure the path network remains accessible, fit for purpose and up to date, the service has instigated a review of the Plan under section 20 of the Act.

Core Paths Plan Review Process

- 2.5 Amendments to the Land Reform (Scotland) Act in 2016 gave local authorities the ability to make minor or single changes to the Core Paths Plan. Details of the process to be followed are covered in various parts of section 20 (A - D) of the Act. Larger scale alterations (multiple changes) to the Core Paths Plan and periodic review of the plan require a full review, the process for which is defined in the legislation.
- 2.6 This review will consider any suggestions of amendments, additions, or deletions to the network. These suggestions will be gathered during 2 phases of internal and external consultations. Appendix 1 provides an overview of the review process.

Evidence and Assessment (Phase 1)

- 2.7 New criteria to assess core paths (appendix 2) have been developed with the North Lanarkshire Outdoor Access over approximately 1 year. The criteria were adopted by all stakeholders via an online vote in November 2022. The new criteria reflect the changes within the council area over the 10 years since the original plan was adopted. This includes the local and national prioritisation to encourage more walking and cycling as alternatives to traveling by car, both as a positive approach of reducing carbon emissions and the benefits shown for mental health and physical wellbeing.
- 2.8 A Condition Survey was undertaken in 2021 to assess the status of the existing network and to answer the question 'are the core paths fit for purpose'?

The survey provided data on the condition of the current path network at that time, taking consideration of the following characteristics:

- Gradients (slope and slope duration)
 - Material make up of each path
 - Condition of the path
 - Details of obstacles to use (path furniture)
 - Width (including pinch points)
 - Supporting information e.g. major issue (landslip / path not evident on the ground)
- 2.9 Funding from Smarter Choices, Smarter Places has enabled the council to employ a specialist contractor to assess the existing network against the revised core path criteria and results from the condition survey.
- 2.10 The results allow us to understand and identify the condition of the paths to help inform decisions and focus the very limited funding available. Core paths must form a part of the delivery of the Council's Active Travel Strategy fundamental to connecting those strategically identified routes to recreational and local opportunities for the people of North Lanarkshire.

Consultation Phase (phase 2)

- 2.11 Internal consultation was initiated at the beginning of January 2024 and the results have been reviewed by Community Greenspace Officers.

- 2.12 During March the consultant assessed the existing network against the new criteria, alongside the results from the condition survey and feedback from the internal consultation to produce updated maps. This work has provided us with a baseline to undertake a 12-week public consultation on proposed changes to the core path network. It is anticipated that the external consultation will take place during the summer months (June, July & August 2024).
- 2.13 The consultation will be via an online survey which will ask respondents to suggest any additions, deletions, or amendments to the proposed network. A draft network map will be available online for public and stakeholder organisations inviting objections and representations (there will also be non-digital opportunities to gather feedback). The Community Boards have been made aware of the upcoming consultation.
- 2.14 Following the 12-week formal consultation officers will review any objections and if appropriate, make contact to try and resolve these. Following that process the council will be able to either:
- a) Adopt the new plan as set out as no objections were received (or those received were subsequently withdrawn) and give public notice of its adoption.
 - b) Send outstanding objections to ministers for determination and adopt the plan as directed to do so thereafter.

3. Measures of success

- 3.1 Core Paths Plan is reviewed and formally adopted under the Land Reform (Scotland) Act 2003.
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4. Supporting documentation

- 4.1 Appendix 1 – North Lanarkshire Core Path Plan Review Process
Appendix 2 – New North Lanarkshire Core Path Plan Criteria



Lyall Rennie
Chief Officer (Community Operations)

5. Impacts

5.1 Public Sector Equality Duty and Fairer Scotland Duty Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact? If Yes, has an assessment been carried out and published on the council's website? https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
5.2 Financial impact Does the report contain any financial impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant financial impacts been discussed and agreed with Finance? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? The council have a duty to keep Core paths free from obstruction, but do not have to maintain core paths to a particular standard. Core path inspection and ad hoc improvements will continue to be managed through existing budgets.
5.3 HR policy impact Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts been discussed and agreed with People Resources? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
5.4 Legal impact Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? Adopting the reviewed core paths plan will ensure we continue to fulfil our statutory duties under the Land Reform (Scotland) Act 2003
5.5 Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk Yes <input type="checkbox"/> No <input type="checkbox"/>

5.6	<p>Technology / Digital impact</p> <p>Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
5.7	<p>Environmental / Carbon impact</p> <p>Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>The Core Path Plan continues to support the council's ambitions linked to climate change and reaching net zero. The network provides routes across North Lanarkshire for non-motorised travel to encourage alternatives to travel by car to help reduce our carbon output. Having a 'fit for purpose' path network also contributes our Active Travel Strategy and contributes to the success of the Scottish Government's National Walking Strategy and links to the Walking, Wheeling, and Cycling Policy.</p>
5.8	<p>Communications impact</p> <p>Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>Phase 2 will invite representations and objections through the 12-week formal consultation with stakeholder organisations and the public. Once adopted, the Core Path network will be available to access on the council website.</p>
5.9	<p>Risk impact</p> <p>Is there a risk impact?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p> <p>The review may raise expectations for path improvements that are beyond the council's financial resources in terms of available budget.</p>
5.10	<p>Armed Forces Covenant Duty</p> <p>Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>

5.11 Children's rights and wellbeing impact

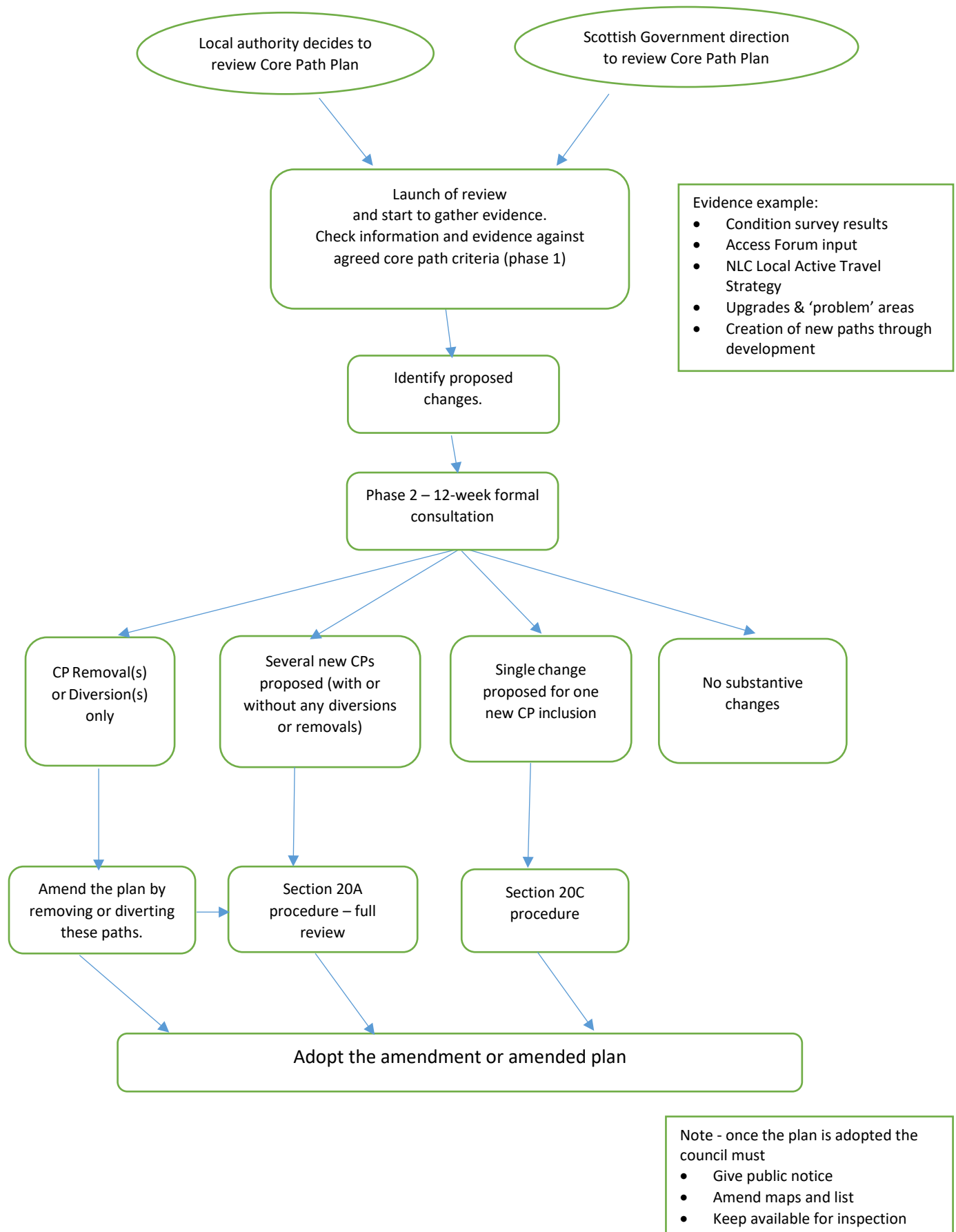
Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?

Yes ☐ No ☒

If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC).

If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?

Yes ☐ No ☐



New Core Path Criteria

1. The core path provides a link between and within communities. (a social group of any size whose members reside in a specific locality and often have a common cultural or historical heritage).
2. The core path links existing attractions and/or desirable destinations? (e.g., green spaces, viewpoints, tourist destinations, built & cultural heritage features, and points of local interest).
3. The core path provides a link to essential local services. (e.g., trains, buses, schools, shops, health centres, sports centres).
4. The core path is fit for non-motorised use by one or more of types of user groups. (e.g., horses, cycles, runners, walkers). This is not an exhaustive list and other user groups may be included.
5. The core path links into other long distance strategic routes. (e.g., John Muir Way, National Cycle routes, canals).
6. The core path broadly supports North Lanarkshire Councils strategy for routes for Active Travel which can be utilised for everyday journeys such as travelling for employment, education or meeting essential needs, as well as recreation.
7. The core path links into existing North Lanarkshire Council Town and Community Hubs.

For a route to be considered a Core Path then it should meet at least 4 of the 7 criteria. A core path may be considered for removal or deletion if it no longer meets the criteria of being a core path or part of that route is served by another core path in close proximity.