

017-HE/1-1

South Lanarkshire Core Paths Plan Comments Form



You can complete this Core Paths Plan Comments Form in Adobe Acrobat and print it out, or print it and complete it by hand, using block capital letters. Return the form to South Lanarkshire, Countryside and Greenspace Service, Chatelherault Country Park, Carlisle Road, Ferniegair, Hamilton ML3 7UE or as an email attachment to paths@southlanarkshire.gov.uk

(You will need Acrobat Reader Version 8 or later to be able to save the completed form.
Go to www.adobe.com to download a free copy.)

Q1. Contact Details

Name:

Address:

Phone:

Mobile:

Postcode:

Email:

Q2. Are you commenting as an individual or on behalf of an organisation?

Individual Organisation Name of organisation:

Q3. How easy do you think the draft Core Paths Plan is to understand and use?

(please tick one box only)

Very easy Fairly easy Neither easy or difficult
 Fairly difficult Difficult

Q4. The Council has a duty to provide a Core Paths Plan that is 'sufficient for the purpose of giving the public reasonable access throughout their area'. Do you believe that overall the draft plan achieves this objective (not withstanding any specific comments you may have on individual paths - see over)

Yes No

Q5. Do you consider that you have an impairment (mobility / visual / learning) or other equality issues (race, gender, sexual orientation) which might limit your ability to make use of the core path network?

Yes No

If you answer yes to question 5 what amendments would you like to see included to accommodate your particular needs?

Q6. It would be helpful to know what outdoor activities, relevant to the Core Path Plan, you are involved in. (Please tick as many boxes as necessary)

<input type="checkbox"/> Walking (for recreation / fitness)	<input type="checkbox"/> Walking (as a mode of transport for short journeys)	
<input type="checkbox"/> Cycling (for recreation / fitness)	<input type="checkbox"/> Cycling (as a mode of transport)	
<input type="checkbox"/> Running / jogging	<input type="checkbox"/> Horse riding	<input type="checkbox"/> Wheelchair user
<input type="checkbox"/> Mobility scooter user	<input type="checkbox"/> Canoeing / kayaking	<input type="checkbox"/> Pram / buggy user
<input type="checkbox"/> Rowing / sailing	<input checked="" type="checkbox"/> Landowner / land manager	<input checked="" type="checkbox"/> Farming
<input checked="" type="checkbox"/> Forestry	<input checked="" type="checkbox"/> Outdoor access business / tourism	
<input type="checkbox"/> Other (please specify)	<input type="text"/>	

Q7. Do you wish to make a formal objection to the draft Core Path Plan?

Yes No

If you have answered 'yes' please describe precisely the matter(s) of your objection: state the grounds of your objection and any changes you would like to see made to the plan and which would allow you to withdraw your objection. Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

Map 49

CL/3529; CL3530 and Aspirational Core path between Priest's Knowe, the Gripps and Leadhills should be removed as this will create too much access across vital and environmentally sensitive moorland, and would severely disrupt existing land uses.

CL/3529; CL3532; CL3531; CL3525; CL3526; CL3524; CL3522; CL3521; CL3518; CL3520; CL3519: H&S risks posed by former and existing land uses are significant. SLC needs to demonstrate how public will be protected and how Landowners and occupiers will be indemnified. Responsible use of Estate paths is encouraged however designation as a core path will require upgrading in parts and significant ongoing maintenance. SLC need to make sufficient financial provision for this. Estate and/or tenants may need to close paths from time to time for a range of land management requirements in order to safeguard the public. SLC need to confirm that this is possible and that there will be no unreasonable demands on the Estate or tenants in order to ensure temporary closure.

Q8. Do you have any comments or suggestions to make on the Core Path Plan which are *not* formal objections?

Yes No

Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

Wider Network - Map 49 route shown along Snar Water (between Snarhead and Laverock Hall) should be removed from the Core Path Plan due to the dangers that this route poses to potential users.

CL/3529; CL3532; CL3531; CL3525; CL3526; CL3524; CL3522; CL3521; CL3518; CL3520; CL3519: - Our concerns include potential detriment to our farming and sporting interests due to dogs and the disruption they cause to birds, wildlife and sheep (especially at lambing and hatching). We are concerned about the implications of Health & Safety as landowner due to the actions we and/or our tenants carry out over the Estate including the use of vehicles and firearms. Walkers, cyclists and horse-riders will inevitably be in conflict with the use of quad bikes, 4x4s etc – the speed issue alone, coupled with the rugged terrain, blind summits, corners etc. offers significant cause for concern. Further to this, there may be times (shoot days, or when certain land management actions are being carried out) when we would require the closure of the Core Paths for H&S reasons. We are concerned about the cost implications to ourselves of undertaking such a closure and one would have to provide the manpower to police such closures during shoot days. Maintenance of the tracks are also a concern as horses and bikes can significantly break up the surface of the tracks which allows water to get into the body of the track and cause significant damage potentially making the track impassable for our Estate vehicles.

Please sign and date the form (If completing electronically your typed name will be taken as your signature.)

Signature:

Peter Gayford

Date:

27 January 2011

Thank you for completing this form which should be returned to:

South Lanarkshire Council
Countryside and Greenspace Service
Chatelherault Country Park
Carlisle Road, Ferniegair
Hamilton ML3 7UE

For more information or if you want this information in a different format or language, please phone 01698 543421 or email alan.bannister@southlanarkshire.gov.uk or simon.pilpel@southlanarkshire.gov.uk www.southlanarkshire.gov.uk

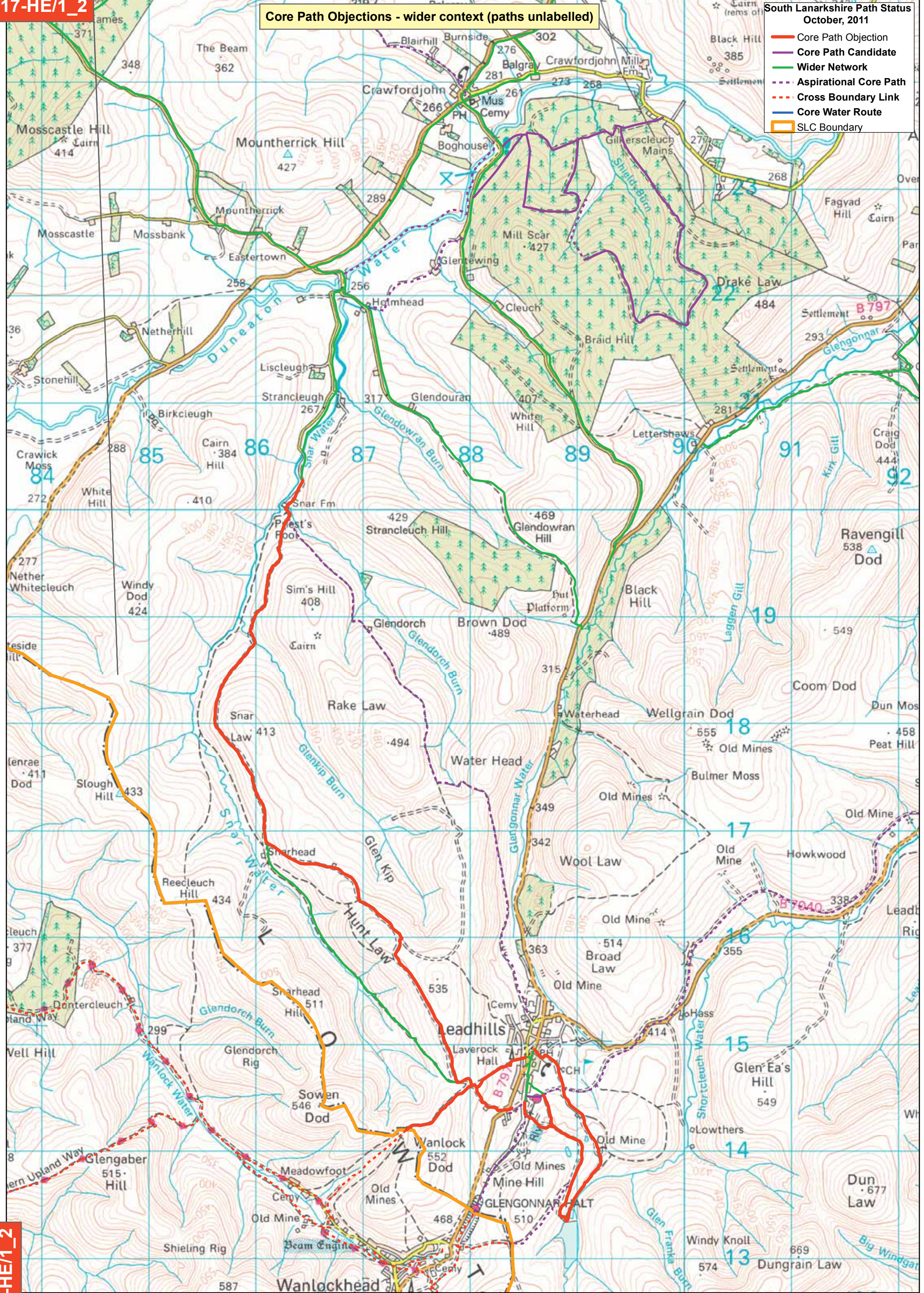
Completed forms must be returned no later than 28 January 2011.

Official use	Date received:	Ref:
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Core Path Objections - wider context (paths unlabelled)

**South Lanarkshire Path Status
October, 2011**

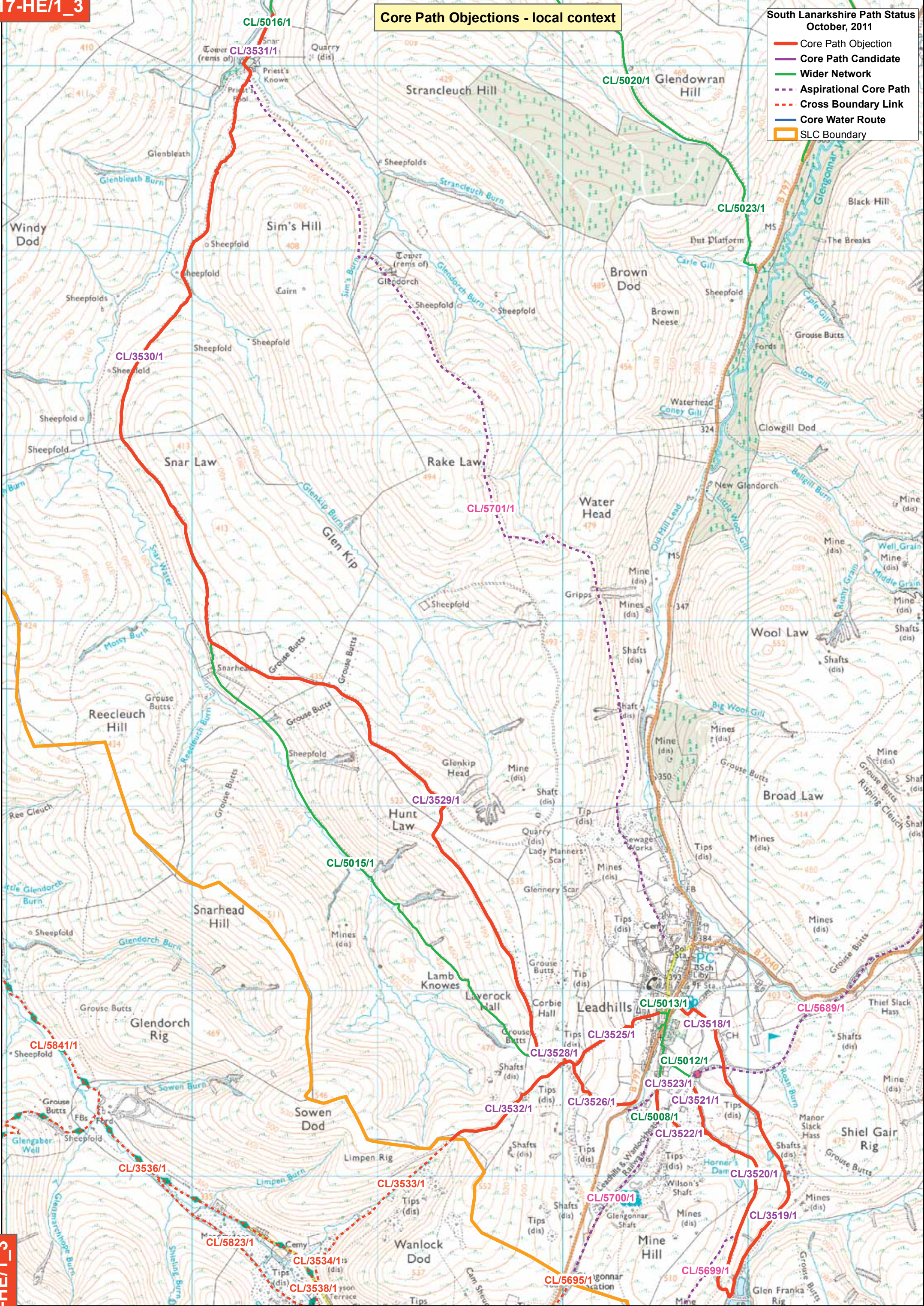
- Core Path Objection
- Core Path Candidate
- Wider Network
- - - Aspirational Core Path
- - - Cross Boundary Link
- Core Water Route
- SLC Boundary



Core Path Objections - local context

South Lanarkshire Path Status
October, 2011

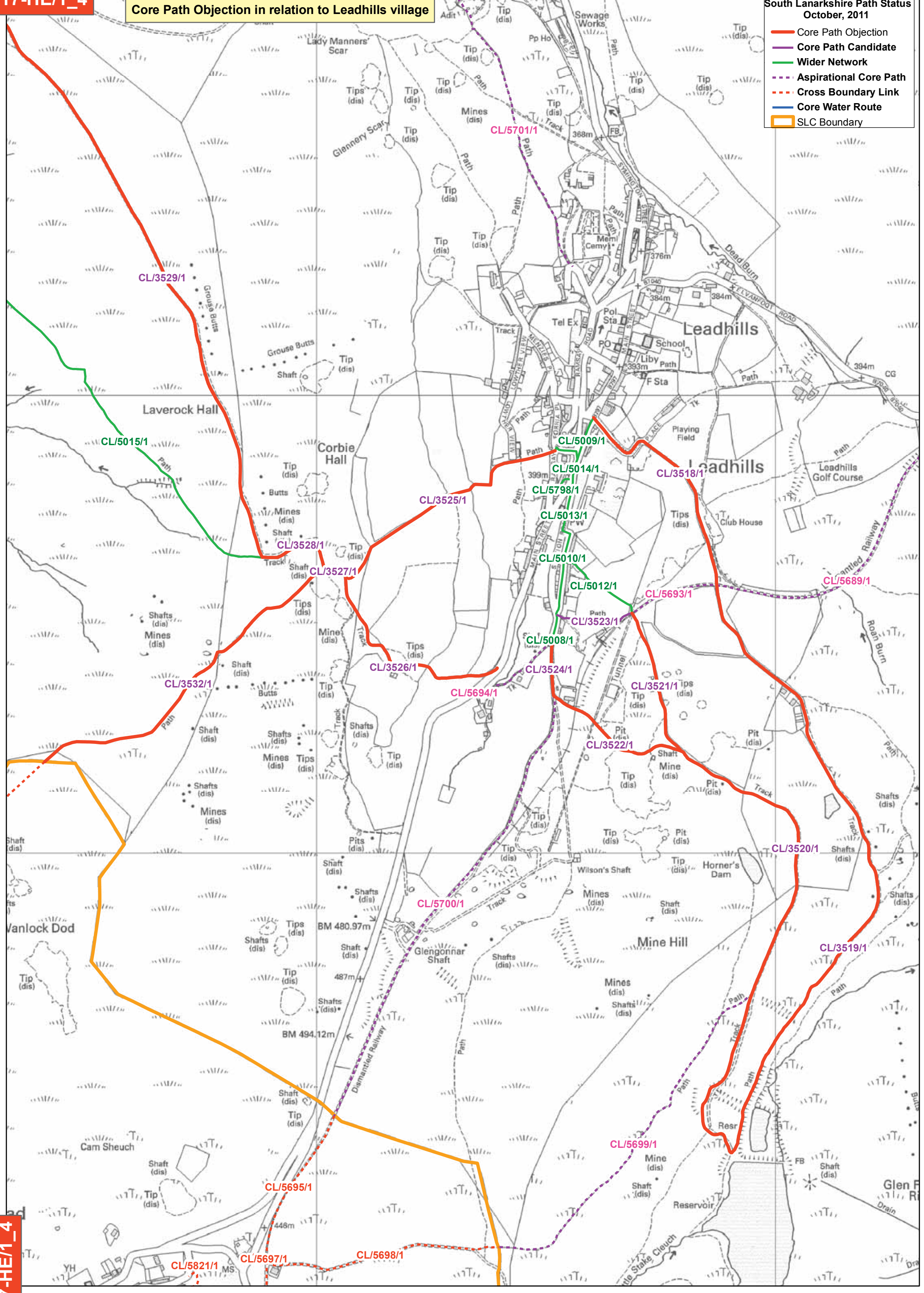
- Core Path Objection
- Core Path Candidate
- Wider Network
- - - Aspirational Core Path
- - - Cross Boundary Link
- Core Water Route
- SLC Boundary



Core Path Objection in relation to Leadhills village

**South Lanarkshire Path Status
October, 2011**

- Core Path Objection
- Core Path Candidate
- Wider Network
- - - Aspirational Core Path
- - - Cross Boundary Link
- Core Water Route
- SLC Boundary



**South Lanarkshire Core Paths Plan
Final Consultative Draft October 2010**

Statement on Objection

Path ref.	*See below	Plan map no.	49 & 52	Area / settlement	Leadhills
Path / route description	*Hill and moorland paths in the Leadhills area: (A) CL/3518/1-3519/1-3520/1; (B) CL/3521/1 (linked to A); (C) CL/3522/1-3524/1 (linked to A and B); (D) CL/3526-3529/1-3530/1-3531/1 (not quoted but likely to include 3527/1 and 3528/1); (E) CL/3525/1-3532 (not quoted but likely to include 3527/1 – shared with (D)).				
Criteria for inclusion	These paths exist as recorded rights of way and/or estate tracks assisting in providing significant off-road links to the surrounding area, neighbouring settlements and the Southern Upland Way to the south.				
Landowner	Not known but likely to be Hopetoun Estates. Known land stakeholder interest: 1. Allershaw Farming Ltd; 2. Hopetoun Estates; 3. Leadhills Sporting Ltd.; 4. Lord Linlithgow's Accumulation Trust (administered via Hopetoun Estates)				
No. of formal objections	4 objectors for the same 7 (8) path sections: CL/3525-CL/3532 inclusive.				
Objector contact details	<i>(Hopetoun Estates - also representing Lord Linlithgow's Accumulation Trust – see 018-LL)</i> Peter Gayford MRICS Leadhills Estate Hopetoun Estates Office Newton Broxburn West Lothian EH52 6QD				
Objection	<p>CL/3529; CL/3530 and Aspirational Core path between Priest's Knowe, the Gripps and Leadhills should be removed as this will create too much access across vital and environmentally sensitive moorland, and would severely disrupt existing land uses.</p> <p>CL/3529; CL/3532: CL/3531; CL/3525; CL/3526; CL/3524; CL/3522; CL/3521; CL/3518; C/L3520; CL/3519: H&S risks posed by former and existing land uses are significant. SLC needs to demonstrate how public will be protected and how Landowners and occupiers will be indemnified. Responsible use of Estate paths is encouraged however designation as a core path will require upgrading in parts and significant ongoing maintenance. SLC need to make sufficient financial provision for this. Estate and/or tenants may need to close paths from time to time for a range of land management requirements in order to safeguard the public. SLC need to confirm that this is possible and that there will be no unreasonable demands on the Estate or tenants in order to ensure temporary closure.</p> <p><i>(Under 'comments or suggestions to make on the Core Path Plan which are not formal objections': CL/3529; CL/3532: CL/3531; CL/3525; CL/3526; CL/3524; CL/3522; CL/3521; CL/3518; C/L3520; CL/3519: Our concerns include potential detriment to our farming and sporting interests due to dogs and the disruption they cause to birds, wildlife and sheep (especially at lambing and hatching). We are concerned about the implications of Health & Safety as landowner due to the actions we and/or our tenants carry out over the Estate including the use of vehicles and firearms. Walkers, cyclists and horse-riders will inevitably be in conflict with the use of quad bikes, 4x4s etc — the</i></p>				

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	<p>speed issue alone, coupled with the rugged terrain, blind summits, corners etc. offers significant cause for concern. Further to this, there may be times (shoot days, or when certain land management actions are being carried out) when we would require the closure of the Core Paths for H&S reasons. We are concerned about the cost implications to ourselves of undertaking such a closure and one would have to provide the manpower to police such closures during shoot days. Maintenance of the tracks are also a concern as horses and bikes can significantly break up the surface of the tracks which allows water to get into the body of the track and cause significant damage potentially making the track impassable for our Estate vehicles.)</p>
<p>Council response</p>	<p>It is the Council's opinion that access rights are not incompatible with natural heritage and estate management objectives. Indeed this is recognised and acknowledged by the Scottish Government (through the enactment of the Land Reform Act) and SNH, as articulated in the Scottish Outdoor Access Code. The identification of access routes is intended to help both access users and landowners / managers by prioritising areas for access investment through land management support programmes (SRDP etc). There are many examples of good practise throughout Scotland which demonstrate that proactive upland estate management can achieve mutually beneficial results. Removal of this network of routes will mean that the Council will have failed in its duty to fulfil the purpose of section 17(1) of the LRA namely to give the community of Leadhills 'reasonable access' to the area.</p> <p>The status of any route (core path route or wider network) identified under the provisions of the Land reform act does not alter a landowners liability or that of any other body / agency from that already required under statute law (Occupiers Liability Scotland Act; Health and Safety at Work Act etc) This is confirmed by section 5.2 of the LRA. Temporay closure / diversion of paths to accomadate land management operations is entirely reasonable and acceptable.</p> <p>CL/3528, CL/3529, CL/3530, CL/3531: this route already exists in the form an estate track. It provides one of the very few off-road tracks linking Leadhills with it's closest South Lanarkshire neighbouring community of Crawfordjohn. No evidence has been presented to substantiate the assertion that its use for access purposes is incompatible with estate or moorland management. The route has been in existence for many years and no previous reports have been made to the Council concerning incidents involving access takers using the route. Regardless of the status of the path access rights can be legitimately exercised over the area through which the track passes. Access rights apply only to non-motorised use. The route through the farm is identified as a right of way and therefore is compatible with the provisions of the LRA in relation to core paths.</p> <p>The Council does not intend to alter the network of proposed core paths in this area.</p> <p>(Path sections CL/3525/1, 3527/1 and 3532/1 are part of the recorded right of way SL178. Path sections CL/3526/1, 3528/1 are part of the recorded right of way SL135.)</p>
Documents attached	
017-HE/1_1	Objection via consultation forms.
017-HE/1_2	Map: overview of Leadhills - Crawfordjohn area, including Wanlockhead, path objections highlighted.
017-HE/1_3	Map: paths objected to in local context.
017-HE/1_4	Map: Leadhills village with adjacent routes objected to in more detail.
Related objections	
016-AF/1	Allershaw Farming Ltd

017-HE/1		017-HE/1
018-LL/1	Hopetoun Estates - Lord Linlithgow's Accumulation Trust	
019-LS/1	Leadhills Sporting Ltd	