

## **Item: 14**

**Development and Infrastructure Committee: 11 September 2018.**

**Orkney Core Paths Plan.**

**Report by Executive Director of Development and Infrastructure.**

### **1. Purpose of Report**

To present a revised version of the Orkney Core Paths Plan.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

That, in December 2008, the Council adopted the current Orkney Core Paths Plan.

#### **2.2.**

That the Orkney Outdoor Access Strategy, approved in March 2017, identified that the Council would review and prepare an updated Core Paths Plan to provide a reduced and better-managed group of higher quality paths.

#### **2.3.**

That public consultation had been undertaken in respect of the Orkney Core Paths Plan.

#### **2.4.**

The consultation report, attached as Appendix 1 to this report, which records the comments raised by consultees and the response by the Executive Director of Development and Infrastructure to those comments.

#### **2.5.**

The revised draft Orkney Core Paths Plan, attached as Appendix 2 to this report, has been amended to respond to comments raised through the consultation process, referred to at paragraphs 2.3 and 2.4 above.

**It is recommended:**

#### **2.6.**

That the draft amended Orkney Core Paths Plan, attached as Appendix 2 to this report, be approved.

## **3. Introduction**

### **3.1.**

At its meeting held on 5 November 2008, the Environment, Planning and Protective Services Committee recommended that the Orkney Core Paths Plan be approved.

### **3.2.**

At its meeting held on 6 February 2018, the Development and Infrastructure Committee noted, inter alia:

#### **3.2.1.**

That the Orkney Outdoor Access Strategy, approved in March 2017, identified that the Council would review and prepare an updated Core Paths Plan to provide a reduced and better managed group of higher quality paths.

#### **3.2.2.**

The draft amended Orkney Core Paths Plan, attached as Appendix 2 to the report by the Executive Director of Development and Infrastructure, which was now required to be subject to public consultation.

### **3.3.**

The Committee recommended that the draft amended Orkney Core Paths Plan, referred to at paragraph 3.2.2 above, be approved for consultation purposes.

## **4. Formal Public Consultation**

### **4.1.**

Formal public consultation in respect of the draft Orkney Core Paths Plan was undertaken during the period 15 March to 7 June 2018. The consultation included public advertisement in The Orcadian, and copies of the document were available at the One Stop Shop, Kirkwall, the Kirkwall Library and Mobile Library Van, Warehouse Buildings, Stromness, and on the Council's website. A press release was issued and the consultation promoted on Radio Orkney.

### **4.2.**

Notification of the consultation was sent to statutory consultees including the Orkney Local Access Forum and Scottish Natural Heritage. Community Councils and Elected Members were also notified.

### **4.3.**

Notice was served on the owners and occupiers of land newly affected by the amended Orkney Core Paths Plan, in accordance with Section 20B(1) of the Land Reform (Scotland) Act 2016.

#### **4.4.**

A full record of comments received, and the Council's response to these, is recorded in the consultation report, attached as Appendix 1 to this report. The consultation identified several amendments to the Core Paths Network, in addition to those identified during the informal consultation carried out in 2017. The revised Orkney Core Paths Plan, attached as Appendix 2 to this report, has been amended to reflect these changes. The following is a list of the main issues raised during the formal consultation:

- Specific requests to not amend and make amendments to the Orkney Core Paths Plan.
- Perceived issues in the provision of signage.
- The highlighting of errors in the Orkney Core Paths Plan.
- Requests to amend the route of certain core paths.
- Responses from statutory bodies.
- Specific and general points relating to the provision of access opportunities for people of all abilities.

### **5. Equalities Impact**

An Equality Impact Assessment has been undertaken and is attached as Appendix 3 to this report.

### **6. Environmental Implications**

The Strategic Environmental Assessment screening report, attached as Appendix 4 to this report, has been prepared and submitted to the SEA Gateway for consideration by the consultation authorities.

### **7. Links to Council Plan**

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priorities of Connected Communities and Quality of Life.

### **8. Links to Local Outcomes Improvement Plan**

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Living Well.

### **9. Financial Implications**

#### **9.1.**

All resources associated with reviewing the Orkney Core Paths Plan, mainly in the form of staff time, advertisement and public consultation, were contained within existing Planning Service revenue budgets.

## **9.2.**

The delivery of any plan will be subject to the level of resources that are made available both from within the Council and as part of a joint working approach with partner bodies.

## **10. Legal Aspects**

### **10.1.**

The Land Reform (Scotland) Act 2003 sets out the statutory duties, responsibilities and powers of local authorities in relation to the provision and promotion of the rights of responsible access. The Council has a general duty to uphold access rights pursuant to section 13 of the 2003 Act.

### **10.2.**

Section 17 of the 2003 Act places a duty upon the Council to prepare a core paths plan and section 20 provides that the Council may review such plan for the purpose of ensuring the plan continues to give the public reasonable access throughout the area. Such review procedure requires to comply with the statutory procedure set out in Part 9 of the Land Reform (Scotland) Act 2016.

### **10.3.**

The Orkney Core Paths Plan assists the Council in complying with its statutory duties.

## **11. Contact Officers**

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## **12. Appendices**

Appendix 1 – Formal Consultation Report.

Appendix 2 – Orkney Core Paths Plan.

Appendix 3 – Equality Impact Assessment.

Appendix 4 – Strategic Environmental Assessment.