

# The Highland Council

Agenda Item	11
Report No	SR/7/24

**Committee:** Isle of Skye and Raasay Area

**Date:** 12 February 2024

**Report Title:** Modified West Highland and Islands Amended Core Paths Plan, Skye and Raasay Area

**Report By:** Executive Chief Officer Infrastructure, Environment & Economy

## 1 Purpose/Executive Summary

1.1 This report summarises the review of The Highland Council Core Paths Plan in Skye and Raasay with respect to the representations received on the amended core paths plan which was out for public consultation from June to September 2019.

## 2 Recommendations

2.1 Members are asked to:-

- i. **Approve** the Skye and Raasay area of the Modified West Highland and Islands Amended Core Path Plan to be submitted to Scottish Ministers. The modifications are shown in **Appendix 1**;
- ii. **Agree** that the changes being minor and raised no previous public comment do not require further public consultation; and
- iii. **Note** the reasons for the delay in bringing this matter to committee in paragraph 4.7.

## 3 Implications

- 3.1 **Resource** - Advertisement of the formal consultation, notifying landowners, adoption notice, and publication of the amended core paths plan are statutory duties and will incur costs and staff resource to the Council. This will, however, be met using existing budgets and resources. Further implementation of the core paths plan is discretionary.
- 3.2 **Legal** - The Highland Council has a statutory duty to produce a core paths plan sufficient for the purpose of giving the public reasonable access throughout the area. The Plan must be reviewed and amended at such times as appropriate; a period of between 5 and 10 years is deemed appropriate.
- 3.3 **Community (Equality, Poverty, Rural and Island)** - Improvement and promotion of Core Paths increases community connectivity, encourages healthy lifestyles and are available to all users equally.

- 3.4 **Climate Change / Carbon Clever** - Improvement and promotion of core paths promotes walking and active travel, contributes to reduced car usage and therefore reduced carbon emissions.
- 3.5 **Risk** - Risk to The Highland Council is minimal. Scottish Ministers will decide whether to direct the Council to adopt the plan where there are outstanding objections, or they may cause a Public Local Inquiry to be called at their cost. The existing Core Paths Plan remains in place and is used to promote and protect the public's access rights,
- 3.6 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – No implications.
- 3.7 **Gaelic** - Where installed, signs to direct users to core paths will be bilingual subject to consultation with Community Councils.

#### **4 Core Paths Plan Review Introduction**

- 4.1 The development of the existing Core Paths Plan was part of The Highland Council's duties provided by the Land Reform (Scotland) Act 2003 (LR(S)A 2003). The existing plan was adopted by the full Council in September 2011 after the plan had been through the statutory consultation process and a Public Local Inquiry (PLI).
- 4.2 The review and amendment of the Core Path Plan is to be undertaken by the local authority when considered appropriate. The review for the West Highlands and Islands area commenced in 2016.
- 4.3 The review aims to consider:-
- paths that have been built, or will soon be built, since the first Core Path Plan;
  - routes suggested through public consultation;
  - the recommendations of the Public Local Inquiry report on The Highland Council's first Core Path Plan to include more long distance, strategic routes;
  - where there might otherwise be gaps in the sufficiency of the Core Path network; and
  - the removal of routes or sections or routes that have disappeared, become overgrown and where better alternatives are available.
- 4.4 The Skye and Raasay area of the West Highland and Island Amended Core Path Plan was approved by the Ise of Skye and Raasay Area Committee on 3 December 2018.
- 4.5 The amended core paths plan was published on the 8 July 2019 and was open to public consultation until the 18 October 2019.
- 4.6 After conducting a review and consulting publicly on amendments, if the Local Authority then modify the amended plan they must notify and consult such persons as they consider appropriate. The landowners, the Local Access Forum and the Local Ward members are considered the appropriate persons in this case.

- 4.7 The considerable delay in bringing this matter to committee has been due to the initial opinion of the Department of Planning and Environmental Appeals (DPEA) to receive the West Highlands & Islands Amended Core Path Plan in its entirety and only after all consultations on candidate core paths had been completed. This included the resolution of an ongoing legal case and associated negotiation relating to a candidate core path in Glenborrodale, Lochaber that will likely result in a requirement for further public consultation.

However, following recent discussion with the DPEA, they have agreed to change their initial opinion and accept the amended Core Path Plan with the removal of the candidate core path at Glenborrodale. This will be submitted separately as a single core path once the legal case has been resolved.

## **5 Responses and Proposed Position to Representations to the West Highland and Islands Amended Core Paths Plan, Skye and Raasay Area**

- 5.1 Two representations objected to proposals in the Core Path Plan with respect to two candidate core paths. Maps illustrating modifications are set out in **Appendix 1**.

### **5.2 Modifications to Amended Core Paths Plan which resolve objections.**

#### **SL18.02 (C) - Kyleakin Forest Network Extension**

Forest and Land Scotland (F&LS) advised that part of the extension crossed a bridge that was temporary and scheduled to be re-located for other forestry operations. The Skye and Lochalsh Local Access Forum agreed with the argument put forward by F&LS at their meeting of 12 December 2019. It is proposed that the plan is to be modified removing this part of the extended network.

#### **SL04.03(C) – Addition to Glenbrittle Forest Network**

F&LS objected on the grounds that additional designation would lose flexibility for forest management work as the parallel route was already a core path. The existing circular core path is the main recreational route in Glenbrittle Forest there is a need for management flexibility on what is a minor spur. The Skye and Lochalsh Local Access Forum agreed with the argument put forward by F&LS at their meeting of 12 December 2019. It is proposed that the plan is to be modified removing this extension.

## **6 Next Steps**

- 6.1 Subject to committee approval that the proposed modifications can be made without further consultation, the West Highland and Islands Core Paths Plan will be submitted to Scottish Ministers before the end of March 2024. Ministers will then either direct the Council to adopt the plan or Minister will call a Public Local Inquiry.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

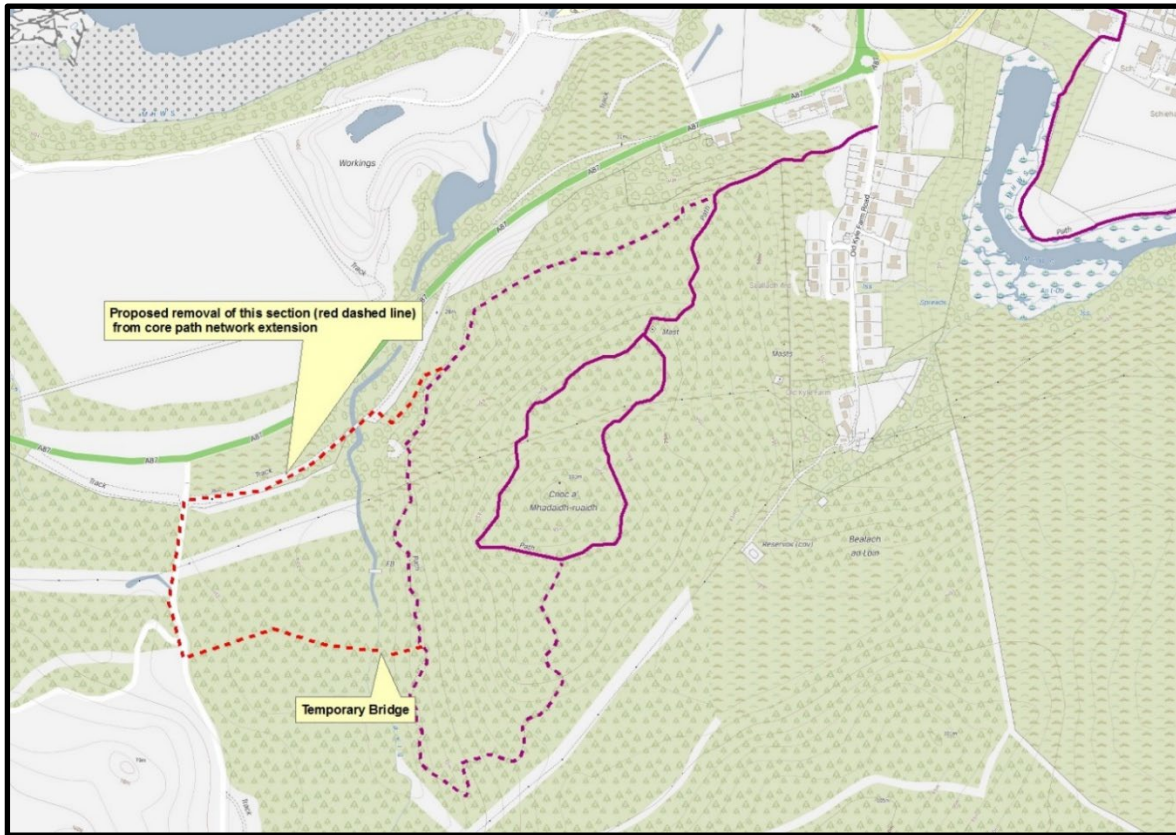
Date: 22 January 2024

Author: Philip Waite, Outdoor Access & Long-Distance Route Manager

Background Papers: None

Appendices: Appendix 1 – Core Path Modifications

### SL18.02 (C) - Kyleakin Forest Network Extension



### SL04.03(C) – Addition to Glenbrittle Forest Network

