

# Scottish Countryside Access Network (SCAN)

Conference

December 2002

*“Implementing the Act; the effect of the Act on your work”*



## **Scott Barrie MSP**

Surprise at the Bill going to the justice committee rather than the Rural Committee. It will receive Royal Assent March 2003

There are issues tho;

- Create versus secure; there is an ongoing debate. Now that it has changed, there is no way of returning to the original wording.
- SOAC is to promote responsible conduct.
- Liability issue; these shouldn't change from the present.
- Core Paths; not a substitute for Rights of Ways; they are to allow you to exercise your right of access to the countryside.
- The proof will be in how the Act is implemented and how disputes are resolved.
- Over 80% of the comments on the LRB are about Part 1.

## **Andrew Bachell (SNH)**

Access, how can we do it better?

### **The past;**

The Access Forum

Enjoying the outdoors

The access concordat

Paths for All Partnership

Outcomes; Access Officers, Access strategies and Core Path Networks

Advice to government

Now preparing for a change

### **SNH duties**

Draw up, by February 2003 consultation and the issue, publicise, promote and review the code (SOAC)

Management of land

Review and amend byelaws

Want to keep away from a register of paths and rights of ways and also draconian measures such as access versus nature.

### **Local Authorities duties**

Assert and protect access rights

Publicise the code

Have at least one Local Access Forum

### **Mechanisms to make things work**

Removal of signs

Safe land / facilities

Path agreements and orders

Access Rights

Ranger Services

The Paths for All Partnership, Access Officers, Ranger Services, Access Strategies, Local Access Forums, Scottish Path Record and other training and advice will all be the tools to help. Paths for All Partnership; will be there to provide best practice advice, research, funding sources, technical support, allow for capacity building.

### **Key Tasks**

Obligations, Support from the Scottish Executive, Review of the recreation and policies and review of grants schemes.

#### **Core Path Networks.**

Priority of Paths to satisfy demand; having them in the right place

Integrate access and land management (not regulate)

It must work for settlements and there should also be consideration of National cycle Routes, Long distance routes, urban footpaths, mountain footpaths.....to what extent will these appear in the CPN's?

#### **Issues of Long Distance Routes**

These need path agreements; out of date now.

#### **Costs to Local Authorities.**

Managing the new Rights of access

Publicising the Code

Defending access rights

Core Path planning; consultation, establishment and management

Local Access Forums

Funding of Access Officers

SNH believe that the funding will go directly to local authorities

They anticipate considerable workloads, can not be sure until stage three is finalised.

#### **Clarifying legalities**

Definition of curtilage

Procedures for paths

Procedures for removing constructions / obstructions

Use of Byelaws

Use of other statutes and the new Act

SNH view on create versus secure: create is better.

#### **Questions before the debate:**

What should SNH priorities be for grant aid?

Your needs for guidance, advice and training?

Your needs for monitoring progress

Open to suggestions.

**Plenary 1** *questions / answers*

*Tony Grant (Sustrans) We have been developing National Cycle routes over the last ten years; a lot of energy, time and money has gone into securing access for a high quality signed network of routes and*

- we've had to agree many things. These formalised upgraded and high quality routes will not be helped by the Act.*
- Andrew Bachell The legislation is to secure a general Right of Access; should not diminish the right.
- Scott Barrie Not sure. The Bill is about right which are necessary. The Bill is as flexible as possible; it can't be too prescriptive and then require further amending.  
Balance between creating a law that is flexible and useful otherwise you will spend all your time making amendments.
- Bob Reid *In relation to the introduction of the Bill; change of presumptions; you will have the right to be there anyway; then once the idea is shifted it then makes it easier.  
Are there any other views about securing or creating access?*
- Tony Grant Local Authorities are very reluctant to take any means to secure access rights; review of policies. It will be money I to lawyer's pockets if we don't watch out.
- Andrew Fairbairn *Stage 3; suggestions that it will be irresponsible to walk through a young plantation of trees; can this be taken out?*
- Scott Barrie The committee are keen to have as little with Bill as possible to keep it workable. Differences can then be resolved at a local level. Don't know if it can be worked out; a number of issues to be returned to in Stage 3; a rehash of Stage 2?
- Andrew Bachell Links with crops; an issue for the code. If we know it is in the Bill then will draft the code accordingly. Regarding young plantations; irresponsibility comes into play when they are likely to be damaged.
- Alex Sutherland Local Authorities are keen to make the Bill work; but they need money to implement it; and the authority to get onto land and carry out the work
- Bob Reid *If we have to enter into agreements to do minor works; do we have mechanisms to do the work?*
- Bob Reid *Local Authorities have to make sure that access is getting listened to; passing it up to the Directors of Finance.  
The formula for the money is based on the Winter Roads maintenance contract.*
- Scott Barrie Finance is the key. The problem goes back to every time legislation is passed money is either ring fenced for that particular purpose or it is left for the Local Authorities to take control.

Andrew Bachell           SNH will continue to support through the cost of producing the Core Paths Network, however the money is not ring fenced; must look to other money.

Bob Reid                   Structure of approach; focus on Core Path Networks. There are issues of maintenance of paths, one all Local Authorities have to consider; COSLA aid can't afford; this is why it comes back to Core Path Networks; they are an important element.

*Bertie Robertson (Edinburgh City Council) Money, unless it is ring fenced for access, the work won't get it.*

Bob Reid                   CoSLA Policy; ring fencing is not wanted so have to look at other means by which it can be accessed. Go through departmental management structures.

*Charlie (Clyde Muirshiel) Limited expectations of Local Authorities; don't know where the money is anyway. Money to Local Authorities for several years. Elected members can't identify where the money is.*

## **John McCarthy Planning.**

Troubleshooting questions.

There are aspects of access that are complex and interrelated; intertwining political, ideological, economic and social dimensions of land. Must have an **holistic** view.

The land question.....it's personal, social, global and local.

## **Preliminary points**

Issues associated with the broader modernistic agenda linked with devolution

Don't become bogged down in complexity; technicalities / political issues; the 'Third Way' agenda.

## **The Third Way**

Problems are likely to be met due to tensions and considerations with the Third way agenda.

The Third Way is social, democratic (50's and 60's) and neoliberal ideas (80's). But it is problematic and contested (particularly in relation to the environment).

Devolution; part of the Third Way agenda; distinctive. Scottish emphasis on social justice, national parks, planning controls and land reform.

## **Practicalities**

The case for land reform is clear; lack of clarity in the arrangements.

Access Forum; identified division between recreational and land management interests. Qualifies right of access to all land and water under the interests of recreation and passage.

Consensus isn't the problem, implementation is.

## **Conclusion**

Land Reform issues are inevitably fraught with tensions and difficulties in reconciling opposed interests. Added difficulties from fragmentation of issues of ownership, legal arrangements, spatial planning and access.

A more holistic approach within the National Planning Framework.

**Alison Irvine, Access Officer. Fife Council.**

Legislation needs clarification and simplification to benefit the right of access across Scotland.....we are not there yet!

**How would the Access Legislation affect jobs?**

Not too hugely! but there would be an increase in workload.

As access officers; we don't have the new powers, still reliant on the 1967 Countryside (Scotland) Act. We are not being given the tools to carry it out.

**Core Paths**

Important, but at the moment we have Rights of Ways, access orders / agreements and these are very time consuming and cost money.

Core Paths are not broadly enough defined.

Core Path Plan

There needs to be thorough consultation.

It is a core path with / without agreement.

**Local Authorities**

Access onto land to maintain routes. Currently require permission of the landowner. The only redress is compulsory purchase.

Landowner consent applies to Rights of Ways.; previously under the Roads Scotland act.

Consent to do everything is a problem.

Ploughing; not the only land management operation. This has been taken directly from the Rights of Way legislation....Forestry etc

The new legislation will allow land managers two weeks to inform us and 8 weeks to reinstate.

**Local Access Forums**

This is a big step forward, and a positive one. It is an addition since stage 2; will it provide advice on Rights of Way issues? Perhaps not since they are very contentious.

Rights of Way have not been brought up to date; this needs to be addressed at least.

**Would like to see in the legislation:**

Many amendments have not made it.

Duty to implement the Core Path plan

Help towards consistency

Different Local Authorities have different priorities; may be reflected across Scotland.

**Powers to work are not in.**

Maintenance, improvement, create, core paths.

Should be able to keep paths fit for purpose, be able to maintain them without consent.

Management of Path Surface, drainage, signs etc. Local Authorities are free to do so.

More development subject to consultation.

Built work; request consent.

Disappointed in the legislation.

## **Dave Morris, Ramblers Association**

Since 1990 Land Reform has been falling off the political agenda, other factors have come into play.....

Economic health of rural communities; to what extent does access help.

Health of the Nation; walking to increase activity.

### **Issue of rights and paths**

- In the future the public will be expected to walk, ride and cycle in more places than they have done in the past.
- There are still problems with farmers???
- Local Authorities need to appreciate there will be a change.
- Where the right of access doesn't apply.
- NGO's expect local authorities to resolve these problems.
- Enabling rights and responsibilities
- Too much emphasis on core paths
- Community consultation; not many will be core paths.
  - Core Paths and non Core Paths
- Connections between communities.
- Existing problems; lack of clarity
  - Golf Courses; not for recreation; only passage. If you go across, will then go back to common law.
- Farmyards; is part of the curtilage; no alternative route to be provided
- Crops; margins, tramlines and drills.
  - Non access land?
    - Land to which statute applies
    - Land to which the statute doesn't apply.
- Secure / create; change to there IS a Right of Access.
- Paths that bring maximum benefit; off road routes are the way forward.
- Barriers; NGO expect local authorities to remove and not engage in years and years of debate.
- Compulsory purchase may then be the main tool?
- Funding:
  - Through SNH, PfAP, not the local authority
  - Money going to the local authorities causes too many problems.

*Stewart Cameron (Dumfries & Galloway). Disagree about the local authority comment; if the money does not go directly to the local authority, then may have to leave. Too difficult to get money through SNH / PFAP. Definitely need to mention ring fencing.*

**Alistair Hackston, RTPI.**

What do planners have to do with it?

Access agenda is marginal.

Who cares?

**Why the planning systems?**

Guides future development and use of land in cities / towns and rural areas.

Sets the framework.

**Community involvement; dialogue with developers.**

**Town and Country Planning.**

50 years experience.

National Planning Framework

**Access: What did we ask for?**

Responsible access to land

Recognise some existing practices don't work.

Guidance from land managers 'comfortable' in the countryside.

Clear duties and powers to local authorities.

Staffing and sufficient funds to carry out these duties.

Perhaps the planning system is a model?

**But who cares?**

Need political, departmental, business and community support.

Sustainable transport

Healthy promotion

Education

Economic regeneration

Sign up to a common agenda.

We need an understanding of land management practices.

**Path development and maintenance**

Core Path Plans; subject local plan.

Who knows where the money is?

Possibility to use the wider aspirations of public in forming produce we don't want to those we do want??????

Land / environmental management

Access management

**Core Path Plans to follow the local planning system.**

Recorded paths

Move forward from what have on the ground? Rather than get caught up in a local plan inquiry.

## **Mike Brady, A Ranger's Role**

### **Right to Roam/Advise and Assist**

Section 23 of the bill gives local authorities the ability to appoint rangers to act on all land over which the right of Access applies for the purposes of advising and assisting land owners and other members of the public as to any matter relating to the exercise of access rights in respect of the land. It also allows rangers to perform other such duties in relation to those rights as the local authority may determine.

Taking this statement at face value it would appear that rangers are not restricted in working within their Local Authority area but can act outwith the area. It could also be argued that this implies a significant patrolling role for rangers but without the 'policing' role from the introduced bill. It should also be noted that with no mention of how rangers will access the land it is likely to be via foot, bike or on horse back. Vehicle access to convenient points for accessing paths will have to be negotiated with individual land owners.

However, the responsibilities of rangers appointed in this way are limited to those relating to access rights. This section does not cover the wider roles that are currently part of the Countryside Ranger role. This may well lead to more rangers on the ground but also raises several issues. What happens to access work currently being done by Countryside Rangers? Will promotion of the code be a responsibility for the 'access' rangers? Why appoint specific rangers when it is the wide range of expertise that Ranger's possess that is most valued in terms of access?

### **The Code and the Bill**

**Which comes first** - To have the bill being passed and the code being issued later would be a recipe for confusion. The code must be based on the final version of the bill to ensure that there are no discrepancies between the two. The code therefore must be available on the date on which the bill comes into force.

**Consultation** - One of the problems with this is the need to consult with interested parties as to the exact content of the code. This is essential and only 12 weeks has been set aside for this. With no updated version of the code since the draft bill was introduced responding effectively within this time is going to be very difficult. There is only the one chance to respond as SNH will then present the code - with or without modifications - to ministers for approval.

**SNH to promote UNDERSTANDING / Local Authorities to PUBLICISE the code** - Ranger posts are generally joint funded by SNH and Local Authorities. It could be argued that rangers therefore should do both (which they should) or just publicise the code as the LA (Local Authority) is our employer. Does the wording really matter? Does promotion include publicising? Why don't Local Authorities have a duty to promote understanding? All organisations concerned with access should have a general requirement to promote the code, at the very least amongst their members.

**Making it Work** - Awareness of the code is one of the key things needed to happen for the right of access to be realised with the minimum of conflict. Rangers have a key role in raising awareness of and promoting compliance with the code. There are many target audiences that must be reached -

walkers, cyclists, horse riders, colleagues within local authorities, land managers, land workers etc. Many organisations will be involved in getting the message to their members e.g. Ramblers Association, Scottish Landowners Federation, rangers should not be excluded from any of these target audiences. Our main audience will be user orientated but they will come into contact with land managers more often than a Ranger. We need to be sure that the land managers also understand their obligations under the code and can fulfill them effectively.

## **Expectations**

Different people will have different expectations of what will happen once the bill becomes law. I've divided these people into three categories.

**The Unaware** - This will be most of the general public. They will become more aware over time but it will take years rather than months. They are unlikely to cause any problems in relation to exercising their rights. If anyone involved with access considers themselves to be in this section then attending the conference is a good start.

**The Slightly Aware** - Fewer people in this section. Most likely to be composed of those actively involved in access - members of organisation e.g. Mountaineering Council of Scotland, Scottish Cyclists Union. They will have gained some information but are unlikely to have read the bill in detail and followed all the debate. They are very likely to know how the act will affect them and may well be looking to exercise their rights in areas of existing conflict in an attempt to push their own agenda. With the duty of LA's to uphold and maintain access rights this is bound to create more demands on access officers and rangers.

**The Very Aware** - This should be all of those who have an access element to their job or are very well motivated individuals. With the code being widely available transgressors are likely to make best use of any loopholes to 'legitimise' their activity.

## **THE COST**

**Sacrifices** – With the increased workload for access related projects what is it that we no longer do to cope with the extra work? Something has to give and it is likely to be in those areas where it will be least noticed – which will be different for each ranger service.

There are plans to put the code into the 5-14 curriculum. In some ways this is good as it will in itself raise awareness of the code and encourage others (teachers) to take up the role of promoting the code. However, the 5-14 curriculum is already crowded, perhaps over crowded, and spending time on the code will be at the expense of another area in the curriculum.

Byelaws will have to be reviewed as part of the Land Reform Act to ensure that they do not infringe upon the right of access. It is almost certain that management rules will also be viewed in the same light. For example, cycling is prohibited at Chatelherault Country Park except on tarmac paths. There are other paths where the right of access on bike could be exercised responsibly but is currently prohibited. The management rules are therefore at odds with the Act and will need to be reviewed.

## **PAYMENT DUE NOW**

Scottish Natural Heritage are looking for access related work to form a component in the 2003/4 work programme for all ranger services. The momentum for access projects is now, and for the next few years, assuming the bill become law.

### **EASY PAYMENT PLAN**

There are plans to appoint around 60 new rangers to help implement the legislation. Certainly more rangers will help cope with the increased work load but will these rangers be solely focused on access or more rangers of the current variety with a wider remit? Can access projects be divorced from other wider projects? If not, then 'access' rangers and countryside rangers will probably end up doubling up on certain projects.

Incorporating access projects into our current workload has already impacted on other projects and will continue to do so. We need to exploit these projects to turn them to our advantage, which may mean moving into new areas. Improving the nation's health is one of the reasons behind the Land Reform Act. Ranger services can deliver considerable benefits under this agenda while at the same time accessing new markets to raise awareness of wider environmental issues such as the importance of the local environment.

## **Robert Balfour, Land Management**

**Access is a land use.** For some land managers access is positive, for others it is negative. The main problem areas are the urban fringe and honey pot areas.

### **Three main issues;**

**Public Liability;** needs to be resolved; Access Forum agreed that you take access at your own risk.....all land managers should support this.

However there is the possibility of people anywhere at any time of the day or night.

Possibility of more claims; increasing the burden of risk assessments. There is a difference between a general risk assessment and one to do with access.

**Include commercial activities;** how many new businesses may undertake; this may undermine the diversification of the farm business; want recompense with cycling / riding tours over our land.

**Core Path networks:** Still unclear for development / mapping / implementation of Core Path Networks.

Hopefully this will help to manage the access. Key barriers are a lack of facilities and information

Responsible maintenance and management; financial implications.

Removal of Section 11; different management of land alongside Right of Access; regarding temporary closures.

What powers remain for access management? Removal of SNH reduces the practical management of access.

If money is available for access staff etc then land managers will be supported.

**Plenary 2** *questions / answers*

*Bertie Robertson (Edinburgh City Council). These are not problems, they are challenges. Need to consider landowners, as an access officer you need many skills, tread very carefully; compulsory purchase; need to start understanding landowners, the use of National Planning Policy Guidelines (NPPG's) to protect architecture????*

*Lucy Burnett (Ramblers Society). Regarding compulsory purchase. Access Rights to be a Right of Way / agreement etc. Working very hard to get the Bill correct to make it easier.*

*Bertie Robertson Why should compulsory purchase be an option if a right of way already exists over the land? These mechanisms need to be sorted.*

*Robert Balfour If it is the Right of Access; need to define the path; don't need to buy it; may well agree where it has to go.*

*Peter Scott (Planning Consultant). Three focus groups; Core Path Networks; a message from the practitioners; Core Path Plans should have nothing to do with Local Plans; let COSLA know this message*

*Bertie Robertson It's not CoSLA, should be Scottish Executive reps. Definitely should be taken out of the local plan system.*

*Peter Scott Should be flexible with ongoing adjustment and review.*

*Ali Hibbert The relationship with path plans and the wider recreational plans; transport and tourism etc; needs to be added all together. We don't want opportunity for challenge on the resources we have. If it is already recorded we need to look at its wider purpose; look at the subject plan.*

*Peter Scott What about supplementary guidance?*

*Duncan Monteith (Pentland Hills Regional Park) Lack of labour; where is the extra capacity?*

*Robert Balfour Where we have been getting rid of staff, could have possibly kept them on instead.*

*Bertie Robertson Would like to see in 6 years a net increase.*

*Alex Sutherland Insurance; duty of care to his family is the same as to the public. John Muir Trust; local community right to buy an estate. NO insurance premium has increased excessively; this is not a major impediment.*

*Donald McPhillamy Role of management contracts in the role of getting round liability.*

Ali Hibbert                      Only through PPA in the Countryside Act. Insurance premium. If we have more eyes out there, there is less opportunity for vandalism.

*Ali Hibbert                      Management rules rather than byelaws?*

*Bertie Robertson    The position of liability has to be clarified.*

## Workshops

### General Right of Access

#### Key issues

Fundamental legislation

It's Scottish & new; celebrate it

Educational / awareness issues

Funding

Routes of funding

Liability

Interpretation

Conflict resolution

Farmyards / curtilage

Revenue cash. maintenance

Promotion of Code

'Spoilers' initial reaction strategy

Confidence

More conflict

Interim year

Funding of £10m pa not enough

Safety issues

Resolution of different interpretations of the act and code

Not just recreational aspect; routes to school etc.

Responsibility

Rights for both users and landowners

Act and code (what is its legal standing? Are there any penalties?)

Is it practical?

Need a clarifying and settling in period

Urban and rural (where is most access taken?)

Enforcement is unclear

Reasonableness on all sides

Disputes mechanisms

Costs; resources and flexibility

Responsibility for enforcement

Liability - clarification needed;

biosecurity / health, how is it different from now?

Costs – increase in admin costs

because of more rights. Removal of obstructions.

Communication – time to comment on the code, keep information simple,

Access Forums / groups prior to the

Bill, translating code into practical

#### What does it mean to you?

Huge problems or not a problem?

'trouble' element use the act (small %age)

Resource issues

Dependant on area

Water view!!

NGO's will get the support of local authorities that's been missing

Increase in workload

Management make councils sit up and notice Ranger Services

Change the ways areas are managed

It's an opportunity; should be a benefit to farmers

Need help with interpretation of Bill and what does it mean on the ground?

Defining responsibility

Career development

Rangers to be funded directly by the

Scottish Executive direct from the 'access' pot

Expansion of professional services

Freedom to go out on bike / foot guilt free

Increase in user confidence

Ability to address irresponsible behaviour

Responsibility for the user and the owner

Visitor attractions; currently exempt.

Will now have to apply for exemption

Increased bridle. cycle use on paths that are not fit for purpose

#### What can we do to prepare?

Be informed

Focus on how to make responsible access work

Education beforehand to all

SNH and Scottish Executive to provide easier 'access' to information

SNH to facilitate 'fast track' funding

Should Local Authorities / NGO's be preparing advice notes?

Prepare for interim year

Should we use the draft code now?

Local Access Fora...will....

Education; if the code is out earlier, can start quicker

Professionals understand code

Forum / Access Strategy / Core Steering Group

Communication lines and connections are not

made; spread the word; newsletter, strategy, encourage active involvement

We need correct information first before we can pass it on

Make sure everyone is comfortable with time to comment on the code

Setting up Access Forums prior to Bill enactments or workshops?

Communication – so practitioners get information in simple understandable terms

Translating code into practice

advice, we need correct information first  
Costs – are there any costs associated with the general right?  
Costs in the removal of obstructions  
Costs to land managers and local authorities  
Will stiles still have to be replaced to allow horses / bikes / disabled people through?  
Charging for access?  
Amount of paperwork  
Where it applies and where it doesn't  
Practicalities of all types of access  
Standards of paths  
How's it going to change the current situation?  
Responsibility; it should be up to the individual to weigh up the risk  
Liability extends beyond the legalities, but who will maintain them?  
When? Why talking about the same issues as 18 months ago?  
Cost?  
How? Joining the Code and the Act  
Timing of the Bill and enactment  
The right of access has been extended to riding and cycling  
Problem of create and secure; a bit of both  
The new rights are vulnerable and we need reassuring  
Is there going to be any difference?

### **General Right of Access Three points**

Increased workload

Geographical diversity

Education x3

## Core Path network

### Key issues

Ability to negotiate

Mixed uses  
Curtilage avoidance; people want to follow paths  
Getting message across to the public  
Funding – to meet public's expectations  
User construction  
Will they live up to expectations?  
Resource led?  
Lawyers out!  
Define CPN's  
Information about where they are  
No Local Plan involvement?  
Joined up thinking in Local Authorities  
Improved consultation  
CPN's are not the only access  
Running costs and responsibilities  
Multi-user  
General expectations  
CPN – Flexible!  
Definition / clarity  
Multi-use; is it workable?  
Maintenance costs / funding  
Reasonable expectations  
Consultation & communication  
Maintenance; ongoing funding not in legislation  
Common agenda; partnership working / strategy  
Duty to implement?  
Core Path that is not a Core Path?  
How do you leave them out?  
Looking for definitions of a CP  
Thinking in terms of current funding; needs more vision  
Who else's remit? Health / sustainable transport?  
Health money - paths  
Town centre to countryside (urban planning)  
Accessible from front door (within 5mins walk from network / green space) Can we influence urban planning?  
Local authority duty: path or plan?  
Who decides? Act or people / local authority / land interest?  
Questionable powers? To manage infrastructure  
What it includes; strategic (outwith LA area), urban, needs to grow; develop / be flexible  
Disability  
LA duty; SNH can not fund  
Funding fears may limit  
What is the definition of 'core'?  
Criteria required  
Sufficient  
Reasonable

### What does it mean to you?

Negotiations but with a different starting point  
A momentum for change?  
More work to start with?

Confusion  
More public interest; CPN's flagship

Integrated policies  
More management (expectation)  
Improved local facilities  
Expectations of CPN's across Scotland  
Tourism opportunity  
Green transport links  
'Free' leisure facility  
Ongoing monitoring and evaluation  
Demand led?  
Long term use / expansion  
Improve confidence in non users  
Inclusively  
Toll Paths?  
Who does the rest of the network?  
Still have a job  
Employment opportunities  
Contract opportunities  
Realise positive potential  
Even more talking  
Negotiations / conflict resolutions

Loss of some aspects of roles

Network infrastructure  
Themed

Lot's more work  
Audit existing paths

Participatory appraisals

Scottish Paths Record?  
Maintenance

Access

Mutual respect  
Understanding of the Bill and Code

Relieving pressure on other paths

Promoted tourism

Focus resources / time  
Possible drain on resources  
Improve quality of routes for local use  
Making circular routes

### What can we do to prepare?

Educate; public / landowner / facilitators

Involve as many people as possible  
Auditing; what have we got already?

Lobby!  
Encourage user support

Determine user needs and wants  
Advise all local authority professionals  
Education  
Influence Scottish Executive guidance  
Funding!  
Long term maintenance  
Path audit  
Prioritise  
Advance bid for maintenance money  
Community involvement (long term)  
Speculate  
Lobby  
Alison Irvine's T-shirt!  
Sharing good practice  
Look for win-win situations  
Positive opportunities  
Missed opportunities  
Challenge of problem solving  
Share experience  
Best practice

Interpretation

Continue to Lobby  
Communicate

Consultation  
Identification of desire lines

Leading walks

Scottish Paths Record  
Disability audit

Communication in local authority and agencies

Just do it!  
Guidelines

Access Strategy

Community consultation

Training  
Sharing information  
Steering group  
Paths for All Partnership

Definition; what is a core path network? What isn't a core path? How does it relate to general rights of access and other paths? Duties on local authorities to maintain, promote and implement Get a grand plan; a vision, aspirations, then prioritise	Guidance on management  Core; is this the only priority?  Strategy identifies / delivers core paths? Planning; on need; mixed/shared / awareness on terrain Organising; where users are not allowed now or agreements exist? Sustrans; are these still valid? Byelaws? Clarity	Consultation  Making other colleagues aware of what's coming  Finding out where routes are now  Just do it!  Start talking to landowners
Do we need a vision? Definition of a core path	Communication Education	We're already doing it – in part! Begin consulting; where do people go now? Where would they like to go? Talk to landowners and user groups Joined up thinking within the local authority; implications for legal departments / finance Links with health / tourism Tie into other big priorities
Is the core path a living thing? Are the core paths ones the council will look after? Round settlements? Not all multi-use	Resource allocation Mapping / auditing for funding / resources	Linking with long distance routes / cycle routes
What are you trying to get out of a network? Are there 1 <sup>st</sup> and 2 <sup>nd</sup> rated paths? Ask the people Relationship to other paths The most useful paths Grand plan and then prioritise What are they? LDR's, CPN's? Lack of priority in the legislation How to define core paths; may be constrained by funding Criteria for CPN's guidance is needed Status of core paths; do they have to be RoW's / agreements? Are they existing routes or desirable routes? Permanence Community Consultation; the needs of local people Standards Disability Discrimination Act '95 Only a commitment to plan – not maintain and promote Policy; money for building, providing, maintaining and promoting	Responding to curtilage requests; material costs and time implications Mapping will help manage liability Implications of reviewing byelaws	

### CPN's three key points

Ability to negotiate Keep it simple Realise positive potential Understanding of the Bill and Code Definition / clarity Resources; implementation and capital revenue	Educate; public / landowner / facilitators Remember the rest (use it or lose it) Negotiations / conflict resolutions Share experience Reasonable expectations Communication; local authorities, expectation and landowners	Auditing; what have we got already? Community involvement at all times Consultation Continue to Lobby Consultation & communication Policy links (other statutory documents)
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Statements expressed at our conferences by speakers represent their own, or their employer's, views.