
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Incorporating the Core Path Plan review into the Development Plan

Prepared by: Bob Grant, Senior Outdoor Access Officer

Purpose

This paper highlights the responsibility that all access authorities have in reviewing core path plans and seeks support for how this might be taken forward in the Cairngorms National Park.

Advice Sought

Forum members are asked to:

- a) note the duty to review the plan and current guidance on incorporation with Development Plans; and
- b) advise on the proposal to treat the Core Paths Plan as Supplementary Guidance.

Background

1. The Land Reform (Scotland) Act 2003 provides a duty on access authorities to review the plan at times they consider appropriate or they can be required to do so by a Minister. The guidance for access authorities, that accompanied the legislation, states that it is expected that at the earliest opportunity core paths will be incorporated in local plans¹.
2. A problem may arise for access authorities if they choose to incorporate the core paths review into the local development plan as the process for dealing with objections is not consistent with that contained in Section 18 of the Land Reform (Scotland) Act.

The Proposal

3. The Cairngorms National Park Authority has considered how best to achieve the core paths plan review, incorporate it in the development plan and still enable objections to be dealt with under the provisions contained in the Land Reform (Scotland) Act. The proposal is to deal with core paths as a separate piece of Supplementary Guidance. This would allow objections to be dealt with, including a possible local inquiry, and the results of the inquiry would form part of the final submission to Ministers under Section 22 of the Planning etc. (Scotland) Act.
4. This proposed mechanism for incorporating the Core Paths Plan into the Development Plan will comply with Scottish Government Guidance, demonstrate the clear link between these spatial plans and enable objections to be dealt with using the separate pieces of legislation.

¹ Changes arising from the Planning etc. (Scotland) Act 2006 has resulted in local plans being replaced by the Development Plan which comprises a Local Development Plan and Supplementary Guidance.

Bob Grant
7 February 2012
bobgrant@cairngorms.co.uk