

# Core Paths Plan for Midlothian





## ***Acknowledgements***

The Land Services Section of Midlothian Council would like to thank all those who contributed to the Plan including the Midlothian Access Forum and the Core Paths Plan Working Group. Special thanks to the Ramblers Association, Esk Valley Trust, the British Horse Society and the Scottish Rural Property and Business Association for their invaluable work on this Project.



## **Midlothian Council's** *Welcome* **Core Paths Plan**

Welcome to the Core Paths Plan for Midlothian. This Plan shows all the Core Paths and links to the wider network of paths within the Midlothian Council area.

The Core Paths Plan has been developed by Midlothian Council in consultation with the public, landowners, statutory agencies and Midlothian Access Forum.

# Why produce a Core Paths Plan?

The Land Reform (Scotland) Act 2003 came into effect in February 2005. The Act placed various new duties on Local Authorities, one of which is to draw up a plan for a system of paths **“sufficient for the purpose of giving the public reasonable access throughout their area.”** These paths are to be known as Core Paths. All Local Authorities in Scotland were required to draw up a Draft Plan of Core Paths for formal consultation.

The Land Reform (Scotland) Act 2003 established a right of responsible non-motorised access to most land and inland water in Scotland, as well as responsibilities for land managers to respect access rights. People only have these rights if they exercise them responsibly by respecting people’s privacy, safety and livelihoods and caring for Scotland’s environment. Additionally, land managers must take account of access rights in the way they manage their land.

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Although the Act established a right of responsible access to the outdoors, most people prefer to use paths. Clearly defined paths are important, not only for recreation, but also for commuting and to help land managers manage access on their land. By providing a network of signposted paths people tend to feel more confident, knowing that they are going in the right direction and are not causing any problems for the landowner.

The Act also places various new responsibilities, powers and duties on Local Authorities to help manage access rights. One of the new duties is for each Authority to draw up a Plan of Core Paths.

For a number of years, Midlothian Council has been working with local communities and landowners to develop community path networks around many towns and villages in Midlothian.

This Core Paths Plan has been prepared through an extended period of informal and formal consultation and has provided an excellent opportunity to consult with local communities, path users and land managers.

We have tried to balance public demand for recreational routes with the needs and requirements of landowners, farmers and other land managers.

This Core Paths Plan is now presented as a culmination of all the consultation carried out and will be reviewed in five years time to coincide with the review of the Midlothian Local Plan.

# What is a Core Path?

Guidance from the Scottish Government made it a requirement for Local Authorities to create a plan showing an extensive network of Core Paths. Whilst it is not practicable for all Core Paths to be suitable for all user groups, the Core Path Network as a whole, will provide for people of all abilities. In Midlothian, Core Paths will:

- ◆ Be anything from a tarmac path to a grassy field margin
- ◆ Link into and support the wider network of paths that already exist in the area
- ◆ Tend to be the most popular paths and/or busy routes that link communities or provide access to local sites
- ◆ Help to manage public access in environmentally sensitive areas or help farmers and land managers to manage access on their land

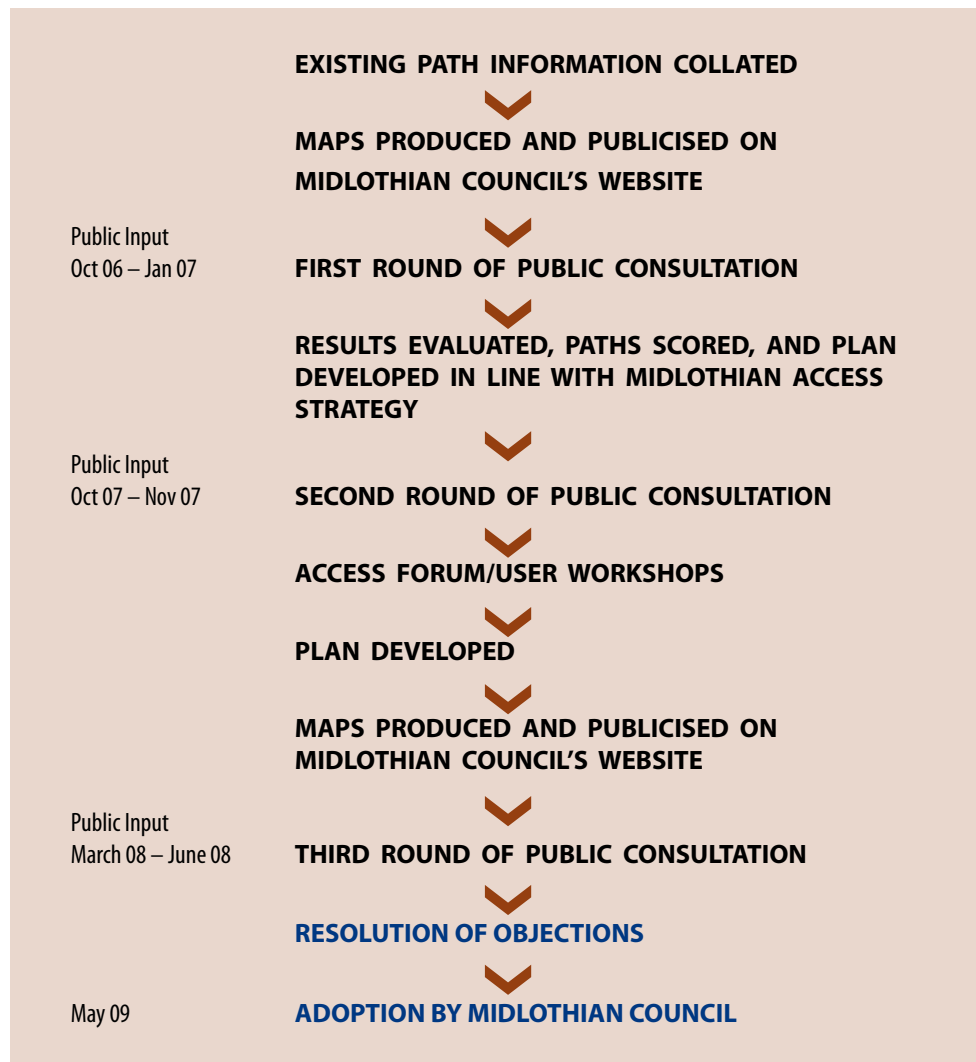
Core Paths will also be:

- ◆ Signposted
- ◆ Free from obstructions
- ◆ Publicised in a variety of ways, eg Council Website [www.midlothian.gov.uk](http://www.midlothian.gov.uk)
- ◆ Subject to protection through the planning system wherever possible and amended only in exceptional circumstances

# How were the Core Paths chosen?

For a number of years, Midlothian Council has been working with local communities, land managers and others to develop community path networks around many towns and villages in Midlothian. We see the Core Paths Planning process as a continuation and extension of this process.

## Progress of the Midlothian Core Paths Plan to Date



## Stage 1 Consultation

Between October 2006 and January 2007 the first round of public consultation, which consisted of eight separate community consultation workshops, was held throughout Midlothian. Each workshop centred around a town or village. We asked people of all ages and abilities where they go walking, cycling, horse riding or take part in other recreational activities such as canoeing. Landowners and managers were also consulted for their views and comments forms were made available online and in local libraries. An exhibition also toured all local libraries to promote the consultation process.

When considering which routes to include in the Plan, we tried to balance public demand with the interests of land managers. The sufficiency of the network to provide reasonable access for locals and visitors to the area was also considered.

The map of Candidate Core Paths was compiled by the Access & Woodlands Officer, Midlothian Ranger Service and the Land Resource Manager of Midlothian Council, in consultation with the Midlothian Access Forum.

## Stage 2 Consultation

The first Draft Plan of Candidate Core Paths for the Stage 2 Consultation was available for comment between 28 October 2007 and 28 November 2007. A booklet of maps was sent to landowners, user groups, community groups and anyone who requested it. The maps were available to view on Midlothian Council's website and in all local libraries and two public consultations were held. The maps and events were advertised widely via the local press and posters were distributed extensively to public and private outlets.

At the conclusion of this second round of consultation comments received were incorporated into the Draft Plan wherever possible. In some cases this involved meetings with landowners and individuals to discuss specific issues. We also consulted with other Council Divisions, relevant public bodies and the Midlothian Access Forum (see Appendix) during this period.

- 6 In addition, a Working Group from the Access Forum was established to further develop the Plan. The Working Group aimed to ensure the Plan met the Land Reform Act's sufficiency criteria, through the designation of Core Paths, aspirational routes and the inclusion of road links, to show how the entire network connects up. The Plan was submitted to the Midlothian Access Forum which found the Plan to be sufficient to meet the needs of the Midlothian community, in accordance with the Land Reform (Scotland) Act 2003.



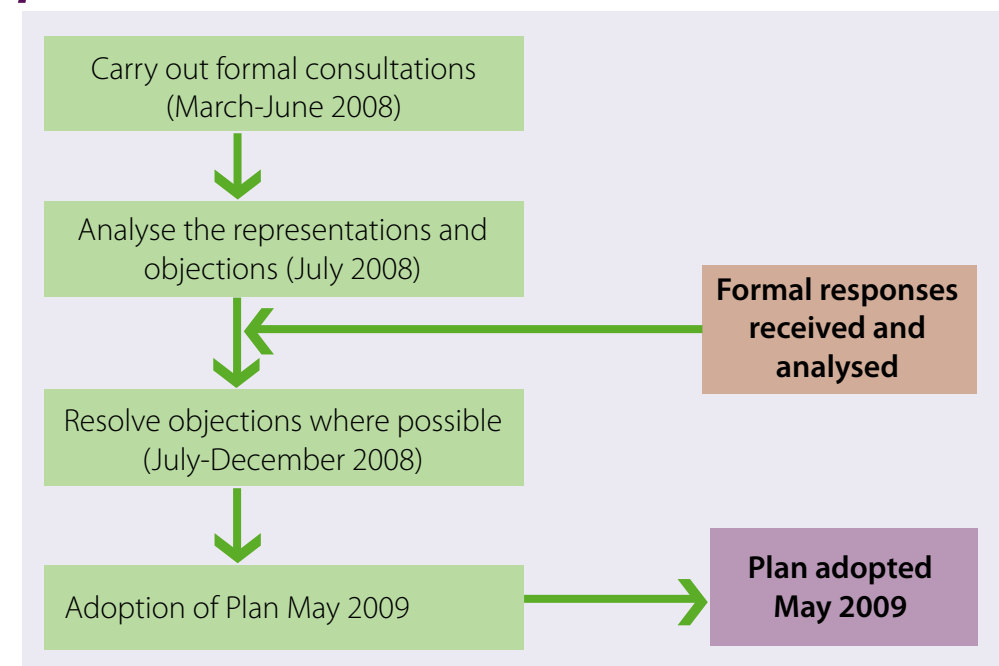
## Stage 3 Consultation

The final stage in the consultation process was held between March and June 2008. The consultation presented to the public all maps which were amended to reflect all the findings of the two previous consultations. Advertising of the consultation was similar to that of Stage 2 and two public meetings were also held.

All comments and objections had to be made in writing and include the name and address of the objector. A register of comments and objections was kept and made publicly available within four weeks of the consultation ending.

By December 2008 all objections were resolved, avoiding the requirement to go to Public Inquiry.

## Steps in the formal consultation process



## What do the maps show?

On the maps contained in this document Core Paths are shown in **purple**. They have all been numbered to identify individual paths.

**purple solid lines** represent paths that already exist that will become Core Paths.

**purple dotted lines** represent aspirational routes that do not yet exist on the ground, which are proposed as future Core Paths. The exact line of some of these paths may change once finally negotiated.

We have also shown on the maps:

- ◆ **orange solid lines** are other paths which form part of the wider path network in Midlothian. These are not proposed as Core Paths. They are shown on the maps so you can see how Core Paths will link into the wider path network.
- ◆ **orange dotted lines** are aspirational routes (Non Core Paths) which reflect the longer-term aims to link some routes together. The exact line of these routes is yet to be negotiated.
- ◆ **green dotted lines** are roads which you may be able to use to link between Core Paths.

Two significant housing developments are also shown on Maps 1 and 6 as hatched areas. The Shawfair Development on Map 1 shows the existing layout of the area and does not take account of the significant path network that will be constructed over the course of the next 15 years. The Hopefield Development next to Bonnyrigg shows Core Paths within the existing layout, but has not included paths arising from the new development.



Dalkeith Country Park shown on Maps 1 and 6 is hatched to indicate that there will be no Core Paths through this important local greenspace. Under the Land Reform Act, the park is allowed to restrict access under the 90 day rule. This forms part of Section 6 of the Act whereby charges made for use of facilities before the Act came into being can continue to be applied. The designation of a Core Path through the Estate would restrict this ability to charge and therefore this Plan does not show Core Paths in Dalkeith Country Park.

## Viewing the Midlothian Core Paths Plan

If you wish a copy of the Midlothian Core Paths Plan, it is available to purchase at a cost of £10.00 per copy from the address listed below. Alternatively the plan is available to view in local libraries and on the Midlothian Council website at [www.midlothian.gov.uk](http://www.midlothian.gov.uk).

## How do I find out more?

For further information on Core Paths Planning and access to the outdoors in Midlothian, contact:

Access and Woodlands Officer  
Midlothian Council  
Commercial Services Division  
Land Services  
Dundas Buildings  
62a Polton Street  
Bonnyrigg  
EH19 3YD  
Tel: 0131 561 5386

Email: [john.park@midlothian.gov.uk](mailto:john.park@midlothian.gov.uk)

Further information about access to the outdoors in Midlothian, including walks leaflets, can be found on Midlothian Council's website [www.](http://www.midlothian.gov.uk)

[midlothian.gov.uk](http://www.midlothian.gov.uk)

Select: "Environment > Parks & Landscape" from the menu on the left.

## Appendix: Midlothian Council Access Forum

**Midlothian Local Access Forum** was set up in 1998. The Forum acts as an advisory body with representation from Land Managers, Recreational User Groups, Public Bodies and Local Community Organisations. The Local Access Forum has statutory functions under the Land Reform (Scotland) Act 2003, which include advising Midlothian Council and any other person or body who consults it on the exercise of access rights, the existence and delineation of rights of way, and the drawing up and adoption of the Core Paths Plan. The Forum is also a statutory consultee and has been involved in the process of drafting this Core Paths Plan.

### Organisations currently represented on Midlothian Local Access Forum:

- ◆ Federation of Midlothian Community Councils
- ◆ British Horse Society (Scotland)
- ◆ Cyclist's Touring Club
- ◆ Midlothian Council
- ◆ National Farmers' Union of Scotland
- ◆ Ramblers Scotland
- ◆ Scottish Natural Heritage
- ◆ Scottish Rural Property and Business Association
- ◆ Scotways (Scottish Rights of Way and Access Society)
- ◆ Midlothian Riders Group
- ◆ Disabled Representative (non-affiliated)
- ◆ Esk Valley Trust
- ◆ SPOKES
- ◆ SUSTRANS



# *Useful further information*

## **“Core Paths Plans: A guide to good practice”**

This best practice guide on the Core Paths Planning process has been produced by the Paths For All Partnership and Scottish Natural Heritage. The guide is available from Paths For All Partnership (tel: 01259 218888) or can be viewed on their Website at [www.pathsforall.org.uk](http://www.pathsforall.org.uk)

## **Scottish Outdoor Access Code**

Website [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com)

This Website contains information about the right of responsible access in Scotland and the Scottish Outdoor Access Code, which guides the responsibilities of the general public and land managers. It includes information about Core Paths.

Copies of the Scottish Outdoor Access Code can also be obtained free of charge from **Scottish Natural Heritage** (tel: 01738 458545 or email [pubs@snh.gov.uk](mailto:pubs@snh.gov.uk)).



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