



Scottish Borders
CONSULTATIVE DRAFT
Core Paths Plan
2008

Our Scottish Borders
Your voice

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Know the Code before you go...
Enjoy Scotland's outdoors - responsibly!

Enjoy Scotland's outdoors! Everyone has the right to be on most land and inland water for recreation, education and for going from place to place providing they act responsibly. These access rights and responsibilities are explained in the Scottish Outdoor Access Code.

The key things are:

When you're **in the outdoors**:

- take personal responsibility for your own actions and act safely;
- respect people's privacy and peace of mind;
- help land managers and others to work safely and effectively;
- care for your environment and take your litter home;
- keep your dog under proper control;
- take extra care if you're organising an event or running a business.

When you're **managing the outdoors**:

- respect access rights;
- act reasonably when asking people to avoid land management operations;
- work with your local authority and other bodies to help integrate access and land management;
- respect rights of way and customary access.

Find out more by visiting
www.outdooraccess-scotland.com or
telephoning your local Scottish Natural Heritage office.

Introducing Core Paths



Scottish Borders is the sixth largest local authority area and has the third lowest population density in Scotland.¹

From undulating hills and moorland in the west, through gentle valleys to the low lying agricultural areas of the east, and on to the rocky Berwickshire coastline, this open land and most of the paths and tracks that cross it are open for everyone to access under the Land Reform (Scotland) Act 2003².

As part of its new duties and powers under the 2003 Act Scottish Borders Council is developing a basic framework of paths available for recreation and everyday journeys by local people and visitors, to be known as a Core Paths Plan.

Once identified and agreed, this basic network of routes will provide reasonable opportunities for everyone to access the Scottish Borders area responsibly, linking and supporting other routes and the wider open countryside. This Scottish Borders Consultative Draft Core

Paths Plan identifies the proposed network and invites your views. Specific questions that we would like you to address are set out in the comments form on page 82.

The Land Reform (Scotland) Act 2003 provides statutory outdoor access rights and responsibilities for everyone, including specific obligations for land managers and local authorities. The Act gives the public a clear right of responsible non-motorised access to most land and inland water in Scotland for walking, cycling, horse-riding, undertaking water based activities such as canoeing and other recreational pursuits. This right applies equally to public open space in towns, rivers and lochs and the more remote areas of the countryside. Although the Act allows a general right of responsible access, the majority of people prefer to use defined paths.

¹ Land area: 1,831 sq. miles or 4,743 sq. kilometres; Population density: 58 people per sq. mile or 22 per sq. kilometre

² Information on the Land Reform (Scotland) Act 2003 and the Scottish Outdoor Access Code can be obtained from www.outdooraccess-scotland.com/

What are Core Paths?



Core paths are defined as paths or routes, including waterways, which will assist the public to exercise their access rights under the Act. They can be existing rights of way, promoted or managed routes, new routes or any other route that can provide the public with reasonable access. Core paths should be fit for purpose and will vary in type and quality from natural grassy swards to high-specification constructed paths in order to satisfy the needs of all users. The majority of core paths will be off-road, though some may be pavements or quiet roads. Whatever the surface or their location, core paths will be managed, promoted and sign-posted and will appear on Ordnance Survey Maps. The core path network as a whole should accommodate all types and abilities of user – functional and recreational - whether cyclists, horse-riders, canoeists or walkers.

Scottish Planning Policy 11 - Open Space and Physical Activity³ states that access rights, including core paths, are material considerations in determining applications for planning permission, therefore protected under the planning process.

This basic framework of signposted and publicised routes will link into and support wider path networks. Core paths in conjunction with this wider network will bring much more of the landscape, including many natural and historic places, within reach of the public. They will also improve access to and on inland water (by linking to riverbanks, loch shores, and launch points) and help people to move between settlements without reliance on motor vehicles.

Core Paths are only one element of the 2003 Act, which recognises three integrating levels of public access:

1. core paths will provide the basic framework of legally recognised, promoted and signposted paths
2. the wider path network will consist of all other formal and informal paths and tracks
3. a general right of responsible access in the open countryside which is not restricted to paths.

³ Scottish Government, 2007



It is intended that core paths will give the public the confidence to move about the countryside more freely, with consequent benefits to public health, sustainable transport and the tourism industry. Farmers and other land managers will also be reassured that clearly defined routes are the most effective way to control movement of people through the countryside and thus minimise their impact on farming activities.

Of course not all paths in an area will become core paths, but the ones that do will form a basic strategic network for Scottish Borders. Each local authority also has the right to review this Plan at any time, thereby ensuring that the network of core paths will evolve over time.

Within two years of the Council adopting the Core Paths Plan there is a duty for those routes to be accessible, signposted and promoted. The Council will have an ongoing obligation to assert and keep core paths free from obstruction, but no duty to maintain them. Development of new or desired routes must be completed within two years of adopting the Plan and will be dependent on satisfactory survey, landowner agreement, available resources and feasibility of construction works.

Access Management in Scottish Borders



Outdoor access in Scottish Borders has been developed over many years, although this process has been accelerated as a result of the 2003 Act. Scottish Borders Council and its predecessor authorities have, in partnership with other public bodies, managed and improved many claimed rights of way, upheld public access rights to these routes, removed obstructions, installed gates and bridges and managed vegetation to increase the accessibility of these routes for all abilities.

As a partner in Scottish Border Paths⁴ we have developed a high quality access network for walkers, cyclists and horse-riders for all ages and abilities, based on clear local community and visitor needs and aspirations, together reflecting clear economic, social and environmental benefits. The development of these routes includes networks of local paths around larger settlements as well as longer trails which link settlements and in some cases cross boundaries into England or neighbouring Scottish authority areas.

Today Scottish Borders Council upholds outdoor access rights in the open countryside, on rights of way and on other informal routes. We also manage and promote a formal multi-use path network that includes over 1000km of local paths and longer distance routes, such as the Southern Upland Way, John Buchan Way, St Cuthbert's Way, Borders Abbeys Way, Hawick Riding Route, Tweed Cycleway and 4 Abbeys Cycle Route.

Equally there are others who develop and manage access opportunities throughout the area, such as Forestry Commission Scotland, charities such as National Trust for Scotland, local community based groups, estates, and individual farmers.

Together we provide a wide range of outdoor access opportunities for open-air recreation and education throughout Scottish Borders.

⁴ Scottish Border Paths, founded as Scottish Border Walks in 1994, is a partnership of Scottish Borders Council, Scottish Enterprise Borders, Scottish Natural Heritage and VisitScotland (Borders) with the shared objective of developing and promoting outdoor access routes in the Scottish Borders.

How you helped to develop this Draft Plan



The publication *Core Path Plans – A Guide to Good Practice*⁵ recommends that informal consultations are held to raise awareness of core paths and to find out which routes communities currently use, what their aspirations may be and which paths they feel are important.

Scottish Borders Council has consulted widely with communities and landowners to identify important routes for more than twenty years starting in 1994 as part of the Scottish Border Paths project .

As a partner in Scottish Border Paths, community participatory appraisals became the basis on which paths have been developed for the benefit of local residents and visitors alike.

In 2003, Scottish Borders Council undertook an audit of existing and potential access routes throughout the area in consultation with Community Councils and this confirmed that a wide range of access provision is already in place, although the majority of routes have not been tested on the ground.

The feed-back from communities naturally focused on short distance routes around towns and villages, emphasising the access needs of urban populations. Longer routes linking a number of settlements were not identified by local communities, but exist as strategic routes developed through the initiative of public bodies.

All previous public consultations have gathered a substantial amount of information which has identified important paths where people would like to be able to walk, cycle, horse-ride, or use for water recreation, including suggestions for improving routes in the future.

⁵ *Core Path Plans - A Guide to Good Practice*, Scottish Natural Heritage and Paths for All (July 2005)



More recently, in 2006/07, Scottish Borders Council commissioned a regional study to identify candidate core paths. An important element of this research work related to previous consultation findings, however candidates for core paths were identified utilising Key Core Path Scoring Criteria as outlined by Scottish Natural Heritage and Paths for All⁶. The Scottish Borders area was divided into 14 consultation zones, derived from the An Outdoor Access Strategy for the Scottish Borders⁷. Each zone based consultation focused on priority towns and villages and identified likely candidate core paths.

Subsequently, taking into account the zone-based study, previous consultations and our knowledge of the path network, Scottish Borders Council published a Draft Core Paths Plan in 2007⁸. The (2007) Plan was approved by Scottish Borders Local Access Forum and formed part of the latest informal public consultation. It also accounted for the need to balance public access demand with the working landscape and aimed to assess if our proposed Core Paths Plan provided reasonable access for locals and visitors to the area.

The comments received regarding the Draft Core Paths Plan have assisted us identify over 1000km of core paths as outlined in this formal consultation document, Scottish Borders Consultative Draft Core Paths Plan (2008) The table on page 9 shows the extent of the core path network in relation to the wider path network. We are asking you to formally lodge your comments on the Comments Form at the rear of this document.

⁶ Core Path Plans - A Guide to Good Practice, Scottish Natural Heritage and Paths for All (July 2005)

⁷ Scottish Borders Council, December 2003

⁸ Scottish Borders Council Draft Core Paths Plan (2007), Scottish Borders Council



EXTENT OF PATH NETWORK	KM	MLS
TOTAL ALL PATHS including CROW	2721	1691
PROPOSED CORE PATHS	1102	685
DETAILS OF PROPOSED CORE PATHS		
SBC PROMOTED	617	383
SOSCT PROMOTED	99	62
NEW	319	198
ASPIRATIONAL	67	42
TOTAL	1102	685

CROW - claimed rights of way

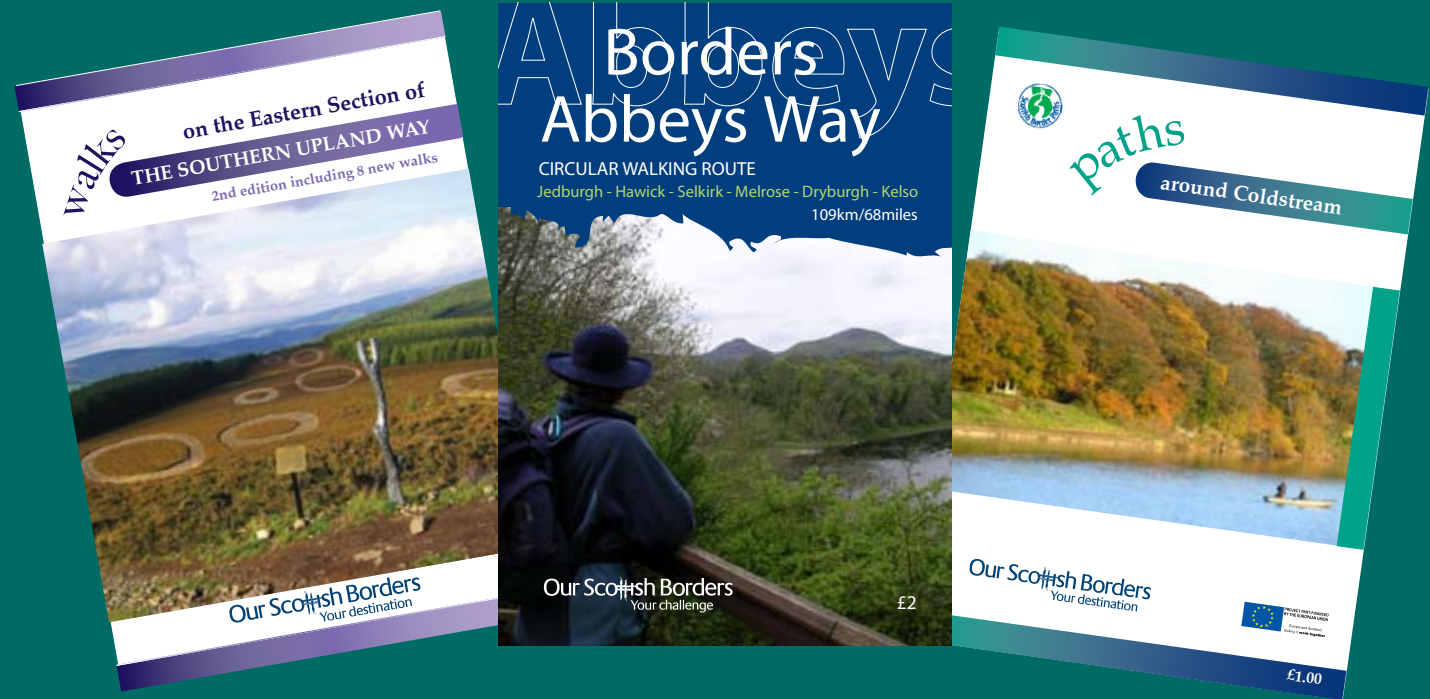
SOSCT - South of Scotland Countryside Trails

Strategic Environmental Assessment



A Strategic Environmental Assessment (SEA) has been undertaken to identify any impact - positive or negative - that this Daft Plan might have on the natural or historic environment, so that any likely ill effects may be recognised and avoided. This process will help to deliver a Core Paths Plan that will take account of fragile natural habitats, avoid visual impacts on the landscape, respect the irreplaceable nature of historic remains and comply with the needs of sensitive land management operations, and thus ensure a positive contribution to the environment.

Management of Core Paths



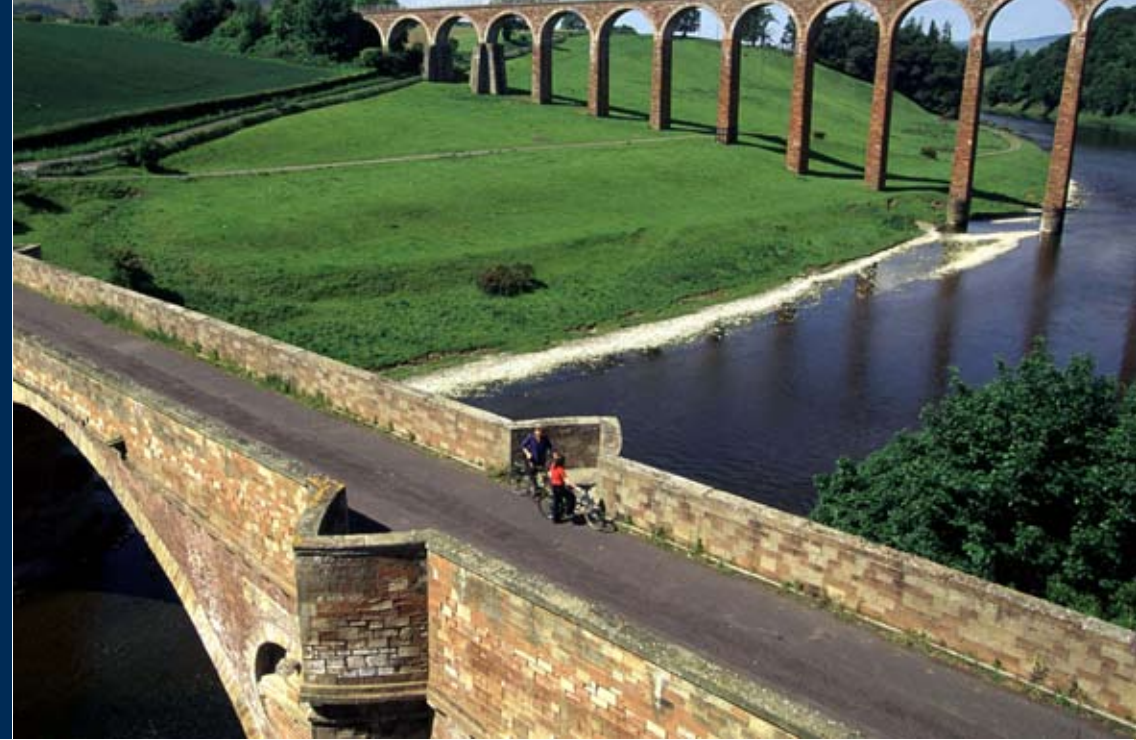
Scottish Borders Council manages and promotes a formal multi-use path network that includes over 1000km of local paths and longer distance routes, such as the Southern Upland Way, John Buchan Way, St Cuthbert's Way, Borders Abbeys Way, Hawick Riding Route, Tweed Cycleway and 4 Abbeys Cycle Route. Most of these off-road routes have been included in these Core Paths Plan.

In addition to promoted routes, we also keep free from obstruction, maintain, and where finances allow, improve many rights of way.

Of course it's not solely the responsibility of local authorities to manage outdoor access. Outdoor access is an integrated part of good land management and is a multi-layered practice. Many landowners, such as Forestry Commission Scotland, charities including National Trust for Scotland, estates, farmers, tenants and local communities maintain paths, tracks and the open countryside for the public to enjoy.

In the light of core paths, management of these existing routes and areas will continue and core paths will form only one part of the existing multi-layered management practice. It is Scottish Borders Council's aim to ensure that all core paths are signposted, maintained, kept free from obstruction, surveyed and inspected regularly. Therefore there will continue to be opportunities for all to maintain core path routes in co-operation with Scottish Borders Council.

Comment on the Plan



Scottish Borders Council has to ensure that the Draft Core Paths Plan is available for the public to comment on over a period of 12 weeks under the Land Reform (Scotland) 2003. This is called formal public consultation.

We have already undertaken a number of informal consultations across the region in recent years to establish where communities think candidate core paths should be.

Scottish Borders Council aims to integrate core paths appropriately and sensitively into the working landscape. We wish to consult widely therefore we want to hear from as many people as possible, including farmers and other land managers, landowners, recreational users (walkers, cyclists, horse-riders, canoeists, etc), residents or visitors to the area - comment or objection, everyone's opinion is important to us.

WHAT HAPPENS AFTER YOU COMMENT

If no objections are raised to the Scottish Borders Consultative Draft Core Paths Plan, Scottish Borders Council will adopt the Plan. We will give public

notice that the Plan has been adopted and make it available for inspection. If there are any objections to the Draft Core Paths Plan, we will attempt to resolve the objections where possible. If we are unable to agree a resolution with the objector within three months and the objection is not withdrawn then a Local Inquiry will be held.

If a Local Inquiry is required, it will be held by a Reporter on behalf of Scottish Ministers. The inquiry will investigate specifically whether the Core Paths Plan will, if adopted, be sufficient to give the public reasonable access throughout Scottish Borders.

Have we got this Draft Core Paths Plan right?

We now want to know your views!

You can comment on this Draft plan by completing the comments form on page 85.

This formal public consultation is open until 7th July 2008 therefore we need to have your comments by this date.

Proposed Core Path Plan



The proposed core paths network is displayed on the following pages. The maps show our candidates for core paths and our future aspirations for core paths in relation to the wider paths network. It is important to note that the wider paths network incorporates existing rights of way and routes which are either promoted by Scottish Borders Council, such as the Southern Upland Way, or by other organisations or projects, such as South of Scotland Countryside Trails⁹.

Throughout this Core Path Plan there are access points to water, further information can be found on page 14.

A Core Path Plan Index is shown on page 15, with the areas divided by referenced grid squares. Each grid square corresponds to a larger scale map which shows candidate core paths, aspirations for core paths and access points to water.

The Core Path Plan Overview, page 16, depicts candidate core paths, aspirations for core paths and access points to water. This Plan gives an overview of the whole core path network, excluding the wider paths network.

These larger scale maps, pages 17 - 84, show the core paths network, in relation to the wider path network. Candidate core paths and water access points are identified with a unique reference number, which should be quoted in your submitted comments form.

⁹ South of Scotland Countryside Trails was a project developed by Southern Upland Partnership, www.southofscotlandcountrysidetrails.co.uk

Access to Water



Water access points are existing locations where water recreation users, e.g. canoeists, can easily gain access to the given water course. Each water access point has a unique code. In order to easily identify their location, 'access' and 'egress' points are given with corresponding Ordnance Survey grid reference numbers. Further detailed information on locations, and water grades, etc, can be obtained from the Scottish Canoe Association¹⁰

Code	Access /Egress Points	River	Access (GR)	Code	Take-out/ Put-in points	River	Access (GR)
WA 1	Abbey St Bathans	Whiteadder	NT 763 619	WA 17	Dryburgh	River Tweed	NT 588 321
WA 2	Preston	Whiteadder	NT 774 577	WA 18	Makerstoun	River Tweed	NT 649 318
WA 3	Allanton	Whiteadder	NT 864 545	WA 19	Junction Pool	Teviot Water	NT 724 338
WA 4	Bluestone Ford	Whiteadder	NT 881 549	WA 20	The Lees, Coldstream	River Tweed	NT 844 396
WA 5	Union Bridge	River Tweed	NT 933 510	WA 21	Megget Dam	Megget Water	NT 212 466
WA 6	Peebles	River Tweed	NT 251 402	WA 22	Cappercleugh	Megget Water	NT 239 227
WA 7	Peebles	River Tweed	NT 256 401	WA 23	Yarrow	Yarrow Water	NT 355 278
WA 8	Manor Bridge	River Tweed	NT 229 394	WA 24	Ettrickshaws Hotel	Ettrick Water	NT 378 232
WA 9	Cardrona	River Tweed	NT 299 391	WA 25	Ettrickbridge	Ettrick Water	NT 390 243
WA 10	Innerleithen	River Tweed	NT 333 360	WA 26	Colin's Bridge	Ettrick Water	NT 429 266
WA 11	Walkerburn	River Tweed	NT 359 369	WA 27	Nisbet	Teviot Water	NT 674 253
WA 12	Broadmeadows	Yarrow Water	NT 408 299	WA 28	Martin's Bridge	Teviot Water	NT 480 134
WA 13	Ashiestiel Bridge	River Tweed	NT 438 350	WA 29	Mart Street, Hawick	Teviot Water	NT 505 151
WA 14	Yair Bridge	River Tweed	NT 459 324	WA 30	Crowbyres Bridge	Slitrig Water	NT 505 134
WA 15	Chain Bridge	River Tweed	NT 545 346	WA 31	Riverside Caravan Park	Teviot Water	NT 532 168
WA 16	Leaderfoot	River Tweed	NT 574 346				

¹⁰ Scottish Canoe Association, www.scot-canoe.org