

# South Lanarkshire Core Paths Plan Comments Form



You can complete this Core Paths Plan Comments Form in Adobe Acrobat and print it out, or print it and complete it by hand, using block capital letters. Return the form to South Lanarkshire, Countryside and Greenspace Service, Chatelherault Country Park, Carlisle Road, Ferniegair, Hamilton ML3 7UE or as an email attachment to [paths@southlanarkshire.gov.uk](mailto:paths@southlanarkshire.gov.uk)

(You will need Acrobat Reader Version 8 or later to be able to save the completed form.  
Go to [www.adobe.com](http://www.adobe.com) to download a free copy.)

## Q1. Contact Details

Name:

Address:

Phone:

Mobile:

Postcode:

Email:

## Q2. Are you commenting as an individual or on behalf of an organisation?

Individual ☐ Organisation ☒ Name of organisation:

## Q3. How easy do you think the draft Core Paths Plan is to understand and use? (please tick one box only)

Very easy ☐ Fairly easy ☐ Neither easy or difficult ☒  
 Fairly difficult ☐ Difficult ☐

## Q4. The Council has a duty to provide a Core Paths Plan that is 'sufficient for the purpose of giving the public reasonable access throughout their area'. Do you believe that overall the draft plan achieves this objective (not withstanding any specific comments you may have on individual paths – see over)

Yes ☒ No ☐

## Q5. Do you consider that you have an impairment (mobility / visual / learning) or other equality issues (race, gender, sexual orientation) which might limit your ability to make use of the core path network?

Yes ☐ No ☒

If you answer yes to question 5 what amendments would you like to see included to accommodate your particular needs?

## Q6. It would be helpful to know what outdoor activities, relevant to the Core Path Plan, you are involved in. (Please tick as many boxes as necessary)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Walking (for recreation / fitness) | <input type="checkbox"/> Walking (as a mode of transport for short journeys) |   |
| <input type="checkbox"/> Cycling (for recreation / fitness) | <input type="checkbox"/> Cycling (as a mode of transport)                    |   |
| <input type="checkbox"/> Running / jogging                  | <input type="checkbox"/> Horse riding  | <input type="checkbox"/> Wheelchair user    |
| <input type="checkbox"/> Mobility scooter user              | <input type="checkbox"/> Canoeing / kayaking                                 | <input type="checkbox"/> Pram / buggy user  |
| <input type="checkbox"/> Rowing / sailing                   | <input checked="" type="checkbox"/> Landowner / land manager                 | <input checked="" type="checkbox"/> Farming |
| <input checked="" type="checkbox"/> Forestry                | <input type="checkbox"/> Outdoor access business / tourism                   |   |
| <input type="checkbox"/> Other (please specify)             | <input type="text"/>   |   |

**Q7. Do you wish to make a formal objection to the draft Core Path Plan?**

Yes ☒ No ☐

If you have answered 'yes' please describe precisely the matter(s) of your objection: state the grounds of your objection and any changes you would like to see made to the plan and which would allow you to withdraw your objection. Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

Core Paths CL/3532, CL/3531, CL/3530, CL/3529, CL/3528, CL/3526 and CL/3525 should be removed. The areas through which these routes pass are integral parts of a working sheep farm and any paths/tracks that do exist are not fenced off from the surrounding grazing ground. We are concerned that access by people and possibly dogs in these areas will have a serious effect on the existing farming operation, with increased disturbance to sheep. These areas are also areas of sensitive moorland with important populations of upland birds and waders. Disturbance from dogs and humans will have a significant impact on the wildlife in these areas.

The Aspirational Core Path between Priests Knowe, the Gripes and Leadhills should also be removed. My clients objection to this Aspirational Core Path, together with core paths CL/3531, CL/3530, CL/3529 and CL/3528 is that the routes cross open moorland in the heart of the sheep farm where any existing routes are not fenced from the surrounding grazing ground. The areas crossed by these routes are particularly sensitive as, in addition to the sheep farming, they are an important breeding ground for a number of upland birds and waders. These two routes also appear to run through the farm yard at Snar Farm. This is a working farm with heavy machinery, lorries delivering feed etc, livestock in the yard and the various safety hazards that are present on a working farm. Snar Farm is accessed along a narrow single track road with few opportunities for cars to pass. We are concerned that any increase in traffic from people trying to access the (continued on new form)

**Q8. Do you have any comments or suggestions to make on the Core Path Plan which are *not* formal objections?**

Yes ☐ No ☒

Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

Please sign and date the form (If completing electronically your typed name will be taken as your signature.)

Signature:

James Hodge

Date:

27/01/2011

Thank you for completing this form which should be returned to:

South Lanarkshire Council  
Countryside and Greenspace Service  
Chatelherault Country Park  
Carlisle Road, Ferniegair  
Hamilton ML3 7UE

For more information or if you want this information in a different format or language, please phone 01698 543421 or email [alan.bannister@southlanarkshire.gov.uk](mailto:alan.bannister@southlanarkshire.gov.uk) or [simon.pilpel@southlanarkshire.gov.uk](mailto:simon.pilpel@southlanarkshire.gov.uk) [www.southlanarkshire.gov.uk](http://www.southlanarkshire.gov.uk)

Completed forms must be returned no later than 28 January 2011.

Official use	Date received:	Ref:
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**Q7. Do you wish to make a formal objection to the draft Core Path Plan?**

Yes ☒ No ☐

If you have answered 'yes' please describe precisely the matter(s) of your objection: state the grounds of your objection and any changes you would like to see made to the plan and which would allow you to withdraw your objection. Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

(continued from previous form) start/finish of these routes will cause significant problems with farm traffic. The final section of the road from the bridge over the Snar Water is a private road. There is no space for vehicles to park at the end of the public road and we are concerned that gates will be blocked and cars will cross the bridge and drive up the private road to the farm yard.

We support the identification and use of paths where these follow easily identifiable and sensible routes which do not impact on existing rural business. However, we object strongly to the routes listed above, which cross open moorland through the middle of a working farm.

**Q8. Do you have any comments or suggestions to make on the Core Path Plan which are *not* formal objections?**

Yes ☐ No ☒

Please be as specific as possible by quoting page numbers, map figures and path numbers as appropriate.

Please sign and date the form (If completing electronically your typed name will be taken as your signature.)

Signature:

James Hodge

Date:

27/01/2011

Thank you for completing this form which should be returned to:

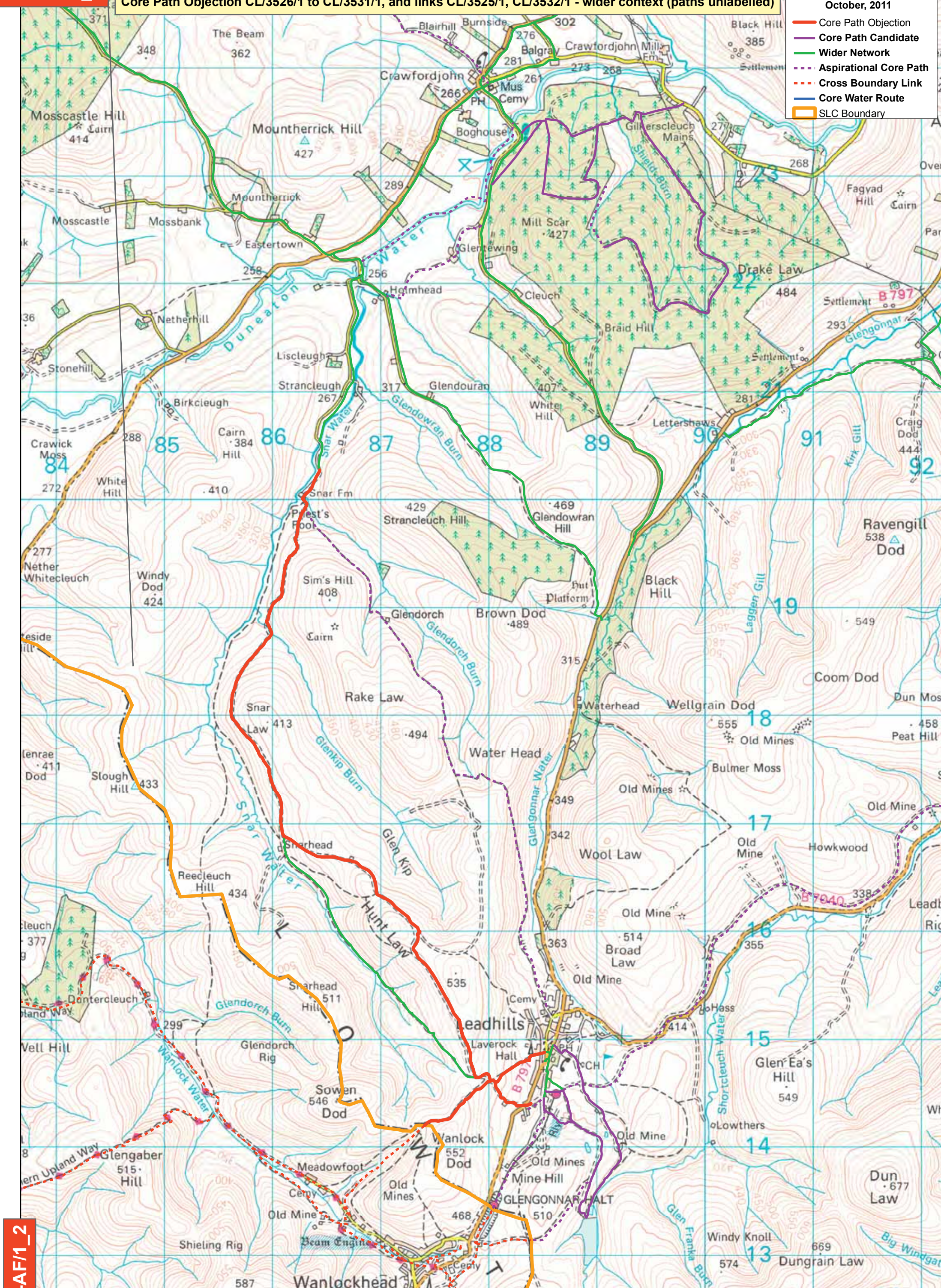
South Lanarkshire Council  
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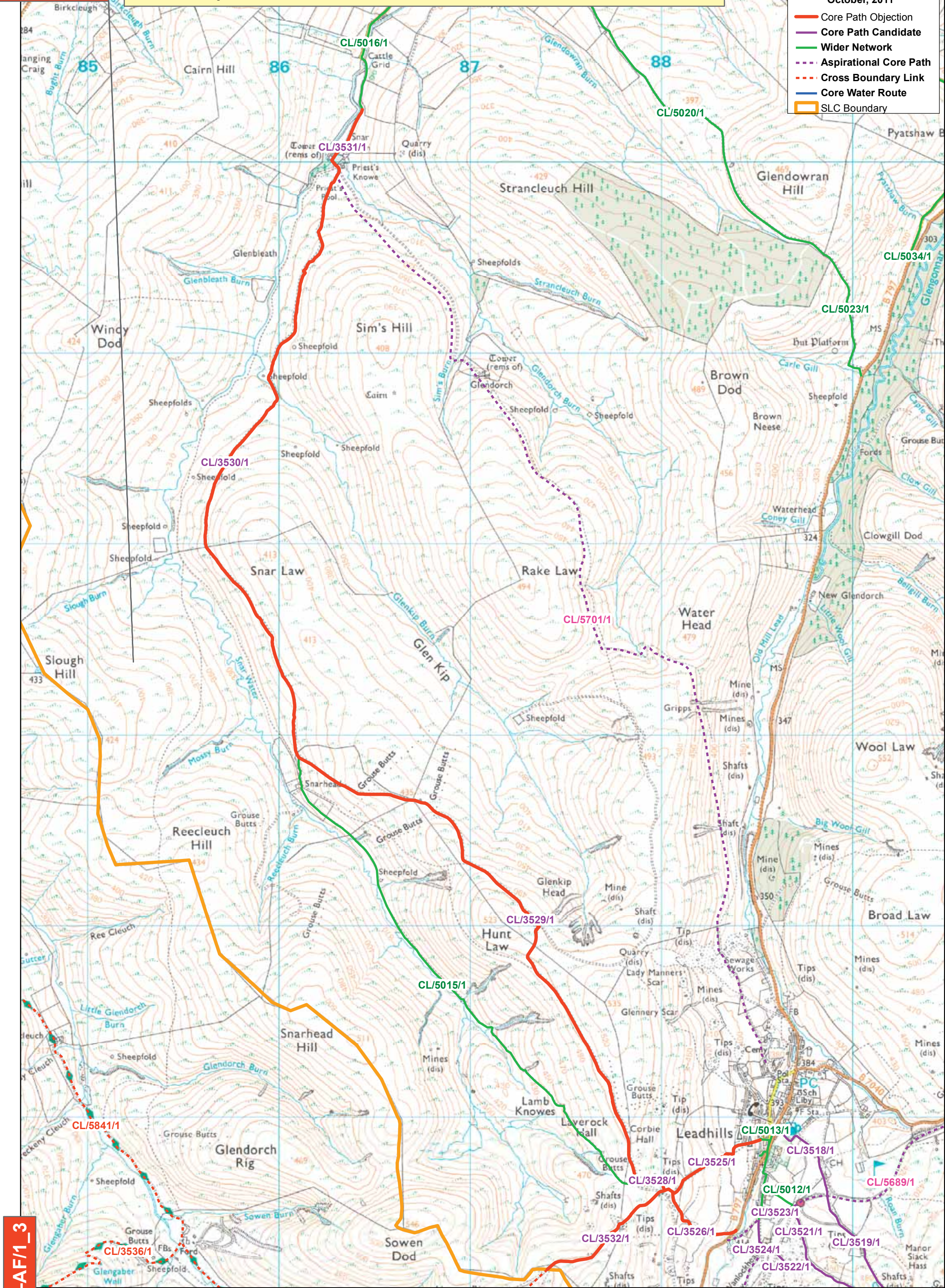






South Lanarkshire Path Status  
October, 2011

- Core Path Objection
- Core Path Candidate
- Wider Network
- Aspirational Core Path
- Cross Boundary Link
- Core Water Route
- SLC Boundary

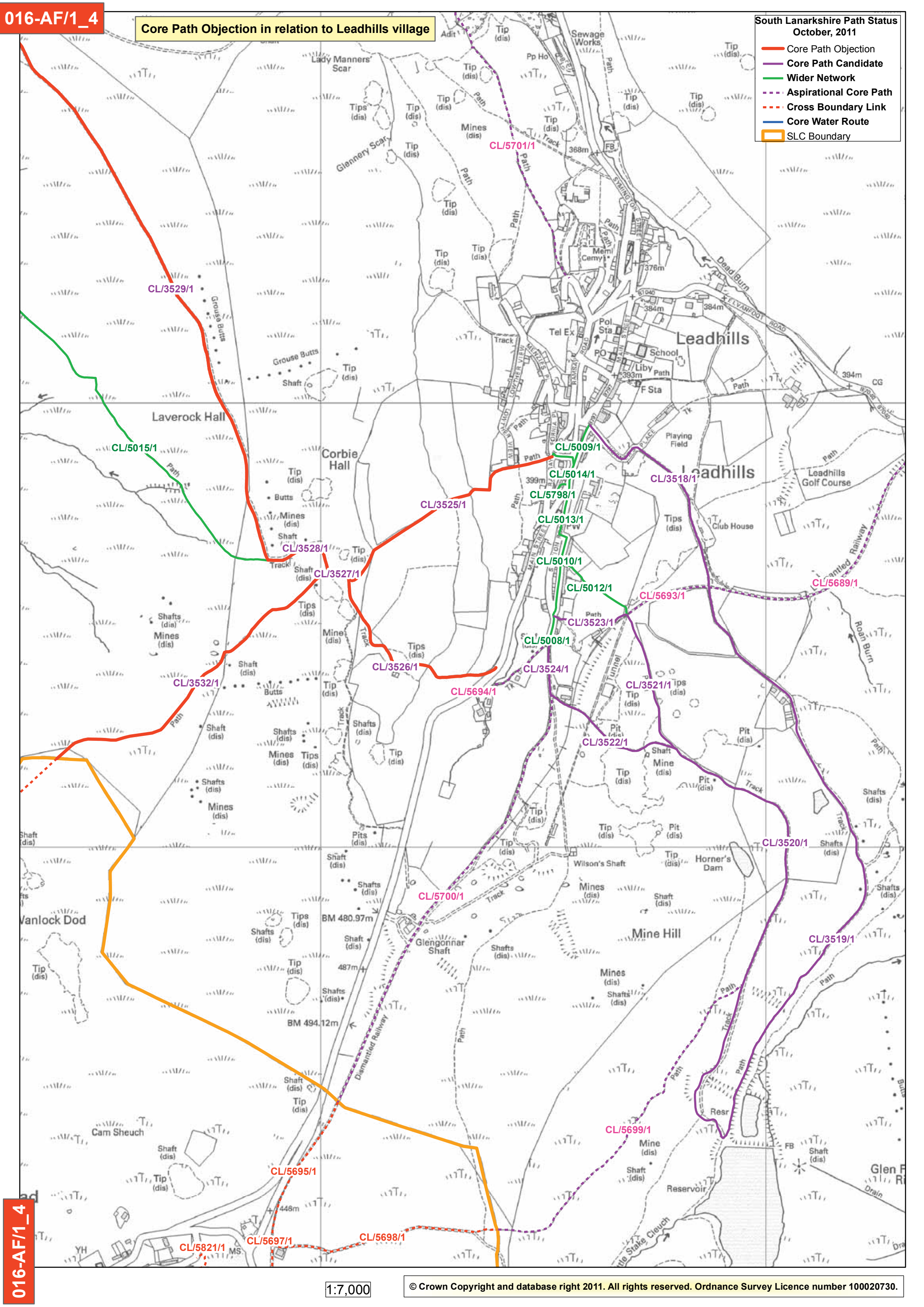




Core Path Objection in relation to Leadhills village

South Lanarkshire Path Status  
October, 2011

- Core Path Objection
- Core Path Candidate
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- Cross Boundary Link
- Core Water Route
- SLC Boundary



**South Lanarkshire Core Paths Plan  
Final Consultative Draft October 2010**

**Statement on Objection**

<b>Path ref.</b>	<b>*See below</b>	<b>Plan map no.</b>	<b>49 &amp; 52</b>	<b>Area / settlement</b>	<b>Leadhills</b>
<b>Path / route description</b>	*Hill and moorland paths in the Leadhills area: CL/3526/1 – 3531/1 (6 contiguous sections of the one path); CL/3525/1, CL/3532/1 (two sections of the same path). Section CL/3527/1 is not quoted but is common to both paths.				
<b>Criteria for inclusion</b>	These paths exist as recorded rights of way and/or estate tracks assisting in providing significant off-road links to the surrounding area, neighbouring settlements and the Southern Upland Way to the south.				
<b>Landowner</b>	Not known but likely to be Hopetoun Estates. Known land stakeholder interest: 1. Allershaw Farming Ltd; 2. Hopetoun Estates; 3. Leadhills Sporting Ltd.; 4. Lord Linlithgow's Accumulation Trust (administered via Hopetoun Estates)				
<b>No. of formal objections</b>	<b>4 objectors for the same 7 path sections (listed above).</b>				
<b>Objector contact details</b>	<i>(On behalf of Allershaw Farming Ltd, and also representing Leadhills Sporting Ltd – see 019-LS)</i> James Hodge MRICS Baikie Hodge Ltd 59 George Street Edinburgh EH2 2JG				
<b>Objection</b>	<p>Core Paths CL/3532, CL/3531, CL/3530, CL/3529, CL/3528, CL/3526 and CL/3525 should be removed. The areas through which these routes pass are integral parts of a working sheep farm and any paths/tracks that do exist are not fenced off from the surrounding grazing ground. We are concerned that access by people and possibly dogs in these areas will have a serious effect on the existing farming operation, with increased disturbance to sheep. These areas are also areas of sensitive moorland with important populations of upland birds and waders. Disturbance from dogs and humans will have a significant impact on the wildlife in these areas.</p> <p>The Aspirational Core Path between Priests Knowe, the Gripps and Leadhills should also be removed. My clients objection to this Aspirational Core Path, together with core paths CL/3531, CL/3530, CL/3529 and CL/3528 is that the routes cross open moorland in the heart of the sheep farm where any existing routes are not fenced from the surrounding grazing ground. The areas crossed by these routes are particularly sensitive as, in addition to the sheep farming, they are an important breeding ground for a number of upland birds and waders. These two routes also appear to run through the farm yard at Snar Farm. This is a working farm with heavy machinery, lorries delivering feed etc, livestock in the yard and the various safety hazards that are present on a working farm. Snar Farm is accessed along a narrow single track road with few opportunities for cars to pass. We are concerned that any increase in traffic from people trying to access the start/finish of these routes will cause significant problems with farm traffic. The final section of the road from the bridge over the Snar Water is a private road. There is no space for vehicles to park at the end of the public road and we are concerned that gates will be blocked and cars will cross the bridge and drive up the private road to the farm yard.</p> <p>We support the identification and use of paths where these follow easily identifiable and sensible routes which do not impact on existing rural business. However, we object</p>				



016-AF/1		016-AF/1	
	strongly to the routes listed above, which cross open moorland through the middle of a working farm.		
Council response	<p>It is the Council's opinion that access rights are not incompatible with natural heritage and estate management objectives. Indeed this is recognised and acknowledged by the Scottish Government (through the enactment of the Land Reform Act) and SNH, as articulated in the Scottish Outdoor Access Code. The identification of access routes is intended to help both access users and landowners / managers by prioritising areas for access investment through land management support programmes (SRDP etc). There are many examples of good practise throughout Scotland which demonstrate that proactive upland estate management can achieve mutually beneficial results. Removal of this network of routes would mean that the Council will have failed in its duty to fulfil the purpose of section 17(1) of the LRA namely to give the community of Leadhills 'reasonable access' to the area.</p> <p>The status of any route (core path route or wider network) identified under the provisions of the Land reform act does not alter a landowners liability or that of any other body / agency from that already required under statute law (Occupiers Liability Scotland Act; Health and Safety at Work Act etc) This is confirmed by section 5.2 of the LRA. Temporay closure / diversion of paths to accomadate land management operations is entirely reasonable and acceptable.</p> <p>CL/3528, CL/3529, CL/3530, CL/3531: this route already exists in the form an estate track. It provides one of the very few off-road tracks linking Leadhills with it's closest South Lanarkshire neighbouring community of Crawfordjohn. No evidence has been presented to substantiate the assertion that its use for access purposes is incompatible with estate or moorland management. The route has been in existence for many years and no previous reports have been made to the Council concerning incidents involving access takers using the route. Regardless of the status of the path access rights can be legitimately exercised over the area through which the track passes. Access rights apply only to non-motorised use. The route through the farm is identified as a right of way and therefore is compatible with the provisions of the LRA in relation to core paths.</p> <p>The Council does not intend to alter the network of proposed core paths in this area.</p> <p>(Path sections CL/3525/1, 3527/1 and 3532/1 are part of the recorded right of way SL178. Path sections CL/3526/1, 3528/1are part of the recorded right of way SL135.)</p>		
	<b>Documents attached</b>		
	016-AF/1_1	Objection via consultation forms.	
	016-AF/1_2	Map: overview of Leadhills - Crawfordjohn area, including Wanlockhead, path objections highlighted.	
016-AF/1_3	Map: paths objected to in local context.		
016-AF/1_4	Map: Leadhills village with adjacent routes objected to in more detail.		
<b>Related objections</b>			
017-HE/1	Hopetoun Estates		
018-LL/1	Hopetoun Estates - Lord Linlithgow's Accumulation Trust		
019-LS/1	Leadhills Sporting Ltd		