

## **NATIONAL ACCESS FORUM – MAY 2019**

### **Core Paths and OS mapping**

#### ***Purpose***

1. To summarise the activities of the sub-group on “Core Paths and OS mapping” as a basis for discussion of next steps.

#### ***Sub-group on Core Paths and OS mapping***

2. The sub-group on Core Paths and OS mapping met four times, in 2016 and 2017. The relevant SG policy Division and SG Digital Directorate participated in meetings. In addition, sub-group members held various bilaterals with OS staff. Key points emerging from these meetings included:

- SG has a contract with OS for “public service” mapping, but asking OS to undertake additional work on core paths would require additional funding or displacement of current activity.
- Contacts with OS revealed that they are reluctant to show core paths on paper maps, or digitally. Some of their arguments are technical (relating to the quality of LA digitisation of core paths); some are about process (e.g. when LAs review core paths); and some are about funding and the “business case”.
- To examine the technical issues SG Digital Directorate used South Lanarkshire as a Case Study. This found that 90 % of the core paths are already included on the OS MasterMap (as roads, tracks, paths, disused railways, etc). There were concerns over technical mapping issues (e.g. about digitised core path lines not exactly matching the lines of existing paths on MasterMap), but arguably these are less significant when showing core paths at the smaller scales of 1:25,000 or 1:50,000. Other issues, such as minor errors and inconsistencies at LA cross-boundary locations, could be addressed fairly easily if someone was given this task, and contact points with LAs to resolve queries.

#### ***Rationale for showing core paths on OS maps***

3. As part of its work, the sub-group developed a rationale for showing core paths on OS maps. This is shown as Annex 1 to this paper.

#### ***Action following fourth meeting of sub-group***

4. At its fourth meeting, the sub-group noted that:
- The Improvement Service Spatial Hub holds web readable data that could be layered on top of an OS backdrop.
  - The quality and consistency issues that would make automatic transfer of the Core Path dataset onto the OS Mastermap difficult could be resolved by re-digitising the data, but this would require resources and LA contacts to answer queries. Achieving this would require policy backing from SG (for the work to be given priority), support from local authorities to answer queries and a shared understanding of data standards needed for OS to accept the data sets.

5. Accordingly, the sub-group suggested that, as an interim step, the Improvement Service core path “layer” should be made publicly available. SNH took action on this, and the layer can be found at <https://www.nature.scot/enjoying-outdoors/routes-explore/local-path-networks>. This web-site has had a reasonable number of hits over the past year, although it is not certain whether users were looking for core path mapping or for other general information on the same page. (The sub-group also suggested that Core Paths should be available on SE WEB; however, this may need further work as the relevant link (<https://map.environment.gov.scot/sewebmap/?layers=corePaths>) does not appear to work properly.

6. In addition, the sub-group suggested that SG policy divisions should be asked to support action aimed at placing core paths on OS maps. Initial steps would be scoping the scale of work needed to re-digitise the core paths, address any queries and institute a system for updating OS data (e.g. when LAs review their core paths are renewed). This was not taken forward, partly because of staff changes within SG. In practice, however, political support is probably needed to make any headway.

7. Following this meeting SNH approached OS about clarifying the legend on Scottish OS maps, ensuring that this is consistent with current legislation, and OS has agreed to include a summary statement about Scottish access rights on 1:50,000 series maps (a similar statement is already included on 1:25,000 OS maps). This should help to address the underlying concern by emphasising that access rights in Scotland are not confined to paths, in contrast to the position across most of England and Wales.

### ***Next steps***

8. NAF is invited to discuss next steps. This could include resuming the work of the sub-group to continue to press for action or maintaining the more recent emphasis on holistic approaches to gather and share data about all types of paths at a national level..

## **ANNEX 1:**

### ***Why the National Access Forum is calling for core paths to be attributed on OS maps***

The National Access Forum (NAF) was established by SNH to advise on access. NAF members are drawn from a wide range of bodies with an interest in outdoor access, including recreation and land management bodies. The NAF has set up a sub-group to take forward the forum's aspiration to see core paths attributed on OS maps. This paper sets out the reasons why the forum takes this position and why it is felt so strongly that the concept of core paths will not work as intended by the Scottish Parliament without the paths being properly mapped for full public awareness of their existence.

#### ***The historic context***

Scotland has world-class public rights of access to land and inland water, establishing statutory rights of access to the vast majority of land in Scotland even when there is no path, as long as these rights are exercised responsibly. However, it is recognised that paths are important in helping to facilitate the use of these rights responsibly, especially in lowland areas. Paths give people more confidence to get outdoors and explore places they don't know, and enable them to choose to use non-motorised forms of transport. Paths also help land managers support public access, as they are more aware of where people are likely to be.

Historically, not all Scottish paths have appeared on maps, unlike in England and Wales where OS have been able to show all paths since 1949, when rights of way gained legal protection by being shown on 'definitive maps' held by local authorities. This legislation didn't apply in Scotland and over the years, without formal protection, many of Scotland's rights of way were ploughed up, built on or shrouded by vegetation. Since these paths were only rarely protected in law, it was difficult to defend them. In addition, we are aware anecdotally that some landowners didn't want maps to show paths crossing their land. So although some paths are shown as geographical features, many Scottish paths aren't shown at all. This situation has resulted in a real lack of paths (both on the ground and on maps) to give safe, pleasant routes around and between our communities, and also poor awareness of where paths exist. Scottish users, whether residents or visitors, have therefore been disadvantaged in terms of mapped paths, especially in comparison with people in England and Wales who have for decades been able to plan routes and trips using paths shown on their maps. It is recognised – and emphasised in feedback to Ramblers Scotland this year – that for less confident or experienced walkers, the difficulty of telling where paths exist in Scotland is a significant barrier to getting outdoors and participating in physical activity.

#### ***Core paths***

Core paths are one type of path in Scotland, designated through the Land Reform (Scotland) Act 2003. It was recognised by the Scottish Parliament that the density of paths was much lower in Scotland than in England and Wales and the unenforced rights of way system was not fit for purpose. SNH's advice to government in 1998 stated four aims for the proposed measures for paths and tracks and clearly showed the intention behind the creation of core paths:

- a) ensuring their use does not adversely affect land managers;
- b) ensuring they are fully used to create local path networks;
- c) ensuring new routes for all users can be developed more easily;

d) ensuring that these routes and networks are properly mapped and promoted.

The Parliament's aim in creating an innovative system of core paths was to benefit present day, rather than historic, needs of all users and also, importantly, to benefit the needs of present day land managers. In s17 of the Land Reform (Scotland) Act 2003, reference is made to this balance of interests and the legislation also includes a recognition that the intentions behind the core paths system would only be achieved with good maps of various types, so that core paths were well enough known by the public to effectively fulfil these purposes.

Therefore, the legislation offered an opportunity to kick start the process of developing more paths, while at the same time offering a reassurance to farmers that most people would be exercising their new statutory rights through the use of paths. There was a widely-held expectation that once each core paths plan was adopted, the process of updating OS maps to include core paths would automatically start. Discussion between SNH and OS was ongoing throughout this time, but perhaps due to changes in job roles and lack of a formal timescale, core paths appear to have slipped off the agenda.

Core path plans were drawn up by access authorities after consultation with communities, land managers and path users, to reflect local priorities with the aim of giving the public reasonable access throughout their area. Following a significant investment of public funds, core paths were adopted by access authorities and now have a high level of legitimacy given the process that led to their designation, which in many cases included going through a public inquiry to deal with objections. Plans can't be amended without a formal process which includes public consultation and therefore the number of future changes is not likely to be high.

Although it was hoped that the process would lead to the expansion of the path network, only around 5% of the 20,000km of core paths were new, perhaps due to a lack of resources to develop these new routes within the set timescales. Nevertheless, even though many of these paths are shown on OS maps, their special attribution is not understood or appreciated by the public. Core paths have an extra layer of protection, as local authorities have powers to maintain and promote core paths and a duty keep them free from obstructions. They can be designated in places where statutory access rights don't apply, such as through farmyards or close to buildings, and their status enables them to be promoted to users without the need to negotiate their route with landowners.

### ***Why should core paths go on OS maps?***

There is public demand for paths to be attributed, evidenced by the fact that over 1,000 people, including walkers, climbers, cyclists, horse riders and business owners, supported Ramblers Scotland's campaign to add core paths to the OS maps.

Core paths plans are a national asset and yet they are not currently attributed on OS maps, or available in a user-friendly format. If members of the public want to find core paths they need to search local authority websites for individual maps which are often very large files, and poorly-presented documents. The disappointing result is that these paths, which were identified through a process of public consultation as being of local importance for recreation and for active travel, are hidden away for use mainly by the access authority.

If designated and highlighted on OS maps, core paths would give certainty to both those enjoying the outdoors and to land managers, and would be a big help when planning and

promoting routes. In urban areas they could be shown in the same way that rights of way are already shown on maps south of the border.

Some core paths need to be better maintained and protected and some of the plans need a limited proportion of the data to be amended, but all core paths plans are now available on the Improvement Service Spatial Hub and this process has led to an updating of some of the data. The maps on the Spatial Hub are not, however, available to the public in an OS format.

In terms of the barriers which stop people walking more often, these include physical barriers, such as the availability and accessibility of paths, and knowledge barriers, such as lack of information, signage and websites. Showing core paths on OS maps would help to reduce these barriers and also help to engage the public in path surveys, maintenance and promotion.

### ***Conclusions***

There has been significant public investment in drawing up core paths plans which are currently not in a usable format for the general public. The result of this investment has therefore not led to an outcome which would deliver the public benefits that the parliament expected in 2003.

For a relatively small further investment to attribute core paths on digital OS maps, these plans could be made accessible to all, bringing health, social, economic and environmental benefits, and helping to deliver the government's outcomes on increasing access to the outdoors, improving health and raising participation in physical activity.

**Helen Todd, Ramblers Scotland, June 2017**