



Land Reform (Scotland) Act 2003

2003 asp 2

PART 1

ACCESS RIGHTS

CHAPTER 5

LOCAL AUTHORITY FUNCTIONS: ACCESS AND OTHER RIGHTS

18 Core paths plan: further procedure

- (1) The local authority shall—
 - (a) give public notice of the plan drawn up by them under section 17 above and any maps it refers to;
 - (b) make the plan and any such maps available thereafter for public inspection for a period of not less than 12 weeks; and
 - (c) consult—
 - (i) the local access forum for their area;
 - (ii) persons representative of those who live, work, carry on business or engage (or would be likely to engage) in recreational activities on the land on which it is proposed that there be core paths;
 - (iii) Scottish Natural Heritage; and
 - (iv) such other persons as the local authority think fit,in each case inviting objections and representations to be made to them within such period as they specify.
- (2) If no objections are made or any made are withdrawn, the local authority shall adopt the plan.
- (3) If an objection is made and not withdrawn, the local authority shall not adopt the plan unless Ministers direct them to do so.
- (4) Where an objection remains unwithdrawn, Ministers shall not make such a direction without first causing a local inquiry to be held into whether the plan will, if adopted, fulfil the purpose mentioned in section 17(1) above.

Status: This is the original version (as it was originally enacted).

- (5) Ministers may, in any other case, cause such an inquiry to be held.
- (6) Subsections (2) to (13) of section 265 (local inquiries) of the Town and Country Planning (Scotland) Act 1997 (c. 8) apply to an inquiry held under subsection (4) or (5) above as they apply to one held under that section.
- (7) Following the publication of the report by the person appointed to hold the inquiry, Ministers may (but need not) direct the local authority to adopt the plan either as drawn up under section 17 above or with such modification as Ministers specify in the direction.
- (8) On adopting the plan, the local authority shall—
 - (a) give public notice of its adoption;
 - (b) compile a list of core paths;
 - (c) keep the plan, any maps it refers to and the list available for public inspection and for sale at a reasonable price; and
 - (d) send a copy of each of those documents to Ministers.
- (9) Where Ministers decline to make a direction under subsection (3) or (7) above, the local authority shall draw up a revised plan and shall do so in accordance with such procedure and within such time limits as Ministers specify.
- (10) Such specification shall include provision under which Ministers may (but need not) direct the local authority to confirm the revised plan.