

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: PROPOSED EXTENSION TO THE SPEYSIDE WAY

Prepared by: Bob Grant, Senior Outdoor Access Officer
Murray Ferguson, Head of Visitor Services and Recreation

Purpose

The purpose of this paper is to summarise the feedback from the recent public consultation exercise that sought views on the two options for developing the extension to the Speyside Way between Aviemore and Dalraddy and seek approval of the advice to be given to Scottish Natural Heritage about the most appropriate line for the route extension.

Recommendations

That the Board:

- a) Notes the feedback received as a result of the recent public consultation exercise concerning the section from Aviemore to Dalraddy; and
- b) Agrees the advice to be given to SNH about the proposed extension from Aviemore to Newtonmore.

Executive Summary

CNPA recently completed a public consultation exercise to seek views on the best line for extending the Speyside Way south of Aviemore to Dalraddy. The outcome of this has demonstrated a good level of public support for the Wade Road option and none for the Loch Alvie option. The consultation also highlighted a number of concerns, primarily from land managers and local residents, about extension of the route along the Wade Road option and a preference for the route to go through the Rothiemurchus/Inshriach area.

All of the feedback received has been considered in detail and summarised in this paper. If agreed by the Board, the advice proposed in the paper will be submitted to Scottish Natural Heritage, who has responsibility for proposing any route extension to Scottish Ministers. Decisions about the extension of the route will be made by Ministers.

PROPOSED EXTENSION TO THE SPEYSIDE WAY - FOR DECISION

Policy Context

1. There has been a long held desire to extend the Speyside Way from its current terminus in Aviemore to Newtonmore. This has been articulated by local communities and businesses, potential users and by Scottish Ministers.
2. The power to approve a new Long Distance Route, or extend an existing one, rests with Scottish Ministers under the Countryside (Scotland) Act 1967. It is the role of Scottish Natural Heritage (SNH) to submit a report to Ministers with proposals for the provision, maintenance and enjoyment of any route.
3. It is important to understand that the role of the National Park Authority in this process is, at this stage, purely advisory. The report described above must be compiled by SNH and the decisions about the extension of the route will be made by Ministers.
4. Long Distance Routes, along with other promoted paths, help to promote enjoyment and understanding of the natural and cultural heritage of the area. By undertaking longer walks or rides, users can experience the special qualities of the Park at a slower pace. Users of Long Distance Routes also contribute to the economy of the area through demand for overnight accommodation, eating places, pubs and other adjacent facilities. There are also considerable health benefits from such journeys. Long Distance Routes are also used extensively for short walks and provide valuable links between communities and to other path networks. There can be economic benefits for the local area arising from undertaking construction and maintenance work.

Chronological History

5. To help move forwards the extension of the route the Cairngorms National Park Authority (CNPA) agreed in November 2003 to employ a Development Officer (with funding contributions from SNH, Highland and Moray Councils). The Development Officer took up post in April 2004 and was managed by CNPA under the auspices of the Speyside Way Management Group with a remit to explore the feasibility of a route extension between Aviemore and Newtonmore. His report resulted in a total of 15 route options on several sections. These were evaluated by the Speyside Way Management Group using a set of criteria which were devised from the objectives and standards for long distance routes throughout Scotland.
6. In October 2004 the Board considered an update on the analysis of route options and agreed that CNPA should lead a public consultation exercise on behalf of the other partners. The aim was to gauge the level of public support for the one "preferred route" and also for the rationale that had been used to develop it. The consultation took place between December 2004 and March 2005.

7. In September 2005 the Board considered the results of the consultation. There was overwhelming public support for extending the Speyside Way – indeed all those who expressed a preference on this matter wanted to see the route extended and there was no outright opposition. The Board agreed in principle to advise SNH that a route be extended to Newtonmore but noted that a number of issues remained to be resolved before a recommended line could be identified. These issues primarily lay on the relatively short section between Aviemore and Dalraddy (6.5 km) where the recent sale of Kinrara Estate had made it difficult to conduct meaningful discussions with the relevant land managers. In addition, the line of the “preferred route” in this area had not been popular with consultees. Amongst those who proposed alternatives there was widespread support for a route close to the old Wade Road through Kinrara and also a suggested alternative route on the west side of Loch Alvie.
8. To resolve these difficulties and to ensure that all the pertinent issues were clearly understood, a further targeted public consultation exercise was undertaken over a six week period to 27 October 2006. Views were sought on two potential route options which are described in the paper as the Loch Alvie and Wade Road options as shown in **Annex 1**. The consultation documentation was sent to all land managers who were potentially affected by either route option, together with Community Councils, other local residents and all those who responded during the previous correspondence. The consultation was advertised by press release and on the Cairngorms National Park Authority website. A copy of the consultation document is shown in **Annex 2**.

Summary of Feedback from the Consultation Exercise

9. A total of 45 written responses were received from individuals, land managers, Community Councils, non-governmental organisations and public bodies. This was a good level of response for such a small section of the route. A number of responses were submitted after the close of the consultation period but all those which arrived up until 21 November have been considered for this paper. An analysis of the responses received is provided in **Annex 3** with a summary of all the comments received in **Annex 4**. A list of correspondents is given in **Annex 5**.
10. Twenty-one respondents expressed a preference for the Wade Road option, none for the Loch Alvie option, while seven expressed no preference. Two respondents opposed the Wade Road option but gave no alternative. One respondent opposed both route options but did not give an alternative. Fourteen respondents proposed an alternative route going through Rothiemurchus and Inshriach (i.e. on the other side of River Spey) which was not presented as an option in the consultation exercise.
11. The main reasons given by respondents (as shown in **Annex 3**) for supporting the Wade Road option are:-
 - a) The route is scenically attractive and takes users through areas of natural woodland with good opportunities to view wildlife;

- b) There are strong historical associations with the route and several notable features of cultural heritage interest close by;
 - c) There are good opportunities for interpretation of both cultural and natural heritage;
 - d) The route is the more direct of the two options;
 - e) The route is already used to some extent by the public and has been used for some time and is therefore likely to be well used in future;
 - f) There is likely to be less impact on land management interests and related economic activity and less conflict with privacy issues beside houses than the other route; and
 - g) The route is further from the busy A9 Trunk Road, will be safer and quieter than the alternative.
12. While there was no support for Loch Alive option the main reasons given by those who thought the route had some merit are:
- a) The route is less prone to icing as it has a southerly aspect compared to the Wade road option which is shaded by Torr Alvie;
 - b) There is likely to be nuisance in terms of noise and litter from people returning late at night from Aviemore to the Dalraddy Caravan Park;
 - c) Walking below electricity pylons on the Wade Road option will not be appealing for users; and
 - d) The route would be less expensive to maintain than the Wade Road option;
13. Support for a route across Rothiemurchus/Inshriach was expressed by fourteen respondents. It should be noted that this was not a route option presented in this consultation exercise due to environmental sensitivities in the area, as explained below. The main reasons given by respondents for supporting a route across Rothiemurchus/Inshriach are:
- a) The route provides a more attractive and peaceful walk than either of the options;
 - b) There is already some visitor management infrastructure in the area;
 - c) No residents are at risk of disturbance and there is no loss of privacy;
 - d) There would be no impacts on shooting activity; and
 - e) There is less likelihood of flooding and the route would be cheaper to implement.
14. **It recommended that the Board notes the feedback received as a result of the recent public consultation exercise concerning the section from Aviemore to Dalraddy.**

Analysis of Feedback Received

15. In analysing the feedback received it is important to deal first with the arguments favouring a route on the east side of the Spey, on Rothiemurchus/Inshriach. When the technical exercise to evaluate the various options against the criteria was undertaken, the "preferred route" was scored more highly than the Rothiemurchus/Inshriach option. However, given the lack of public support for the

“preferred route” in this section and the support expressed for a route on the east side of the Spey, CNPA officers sought further advice from SNH about the environmental sensitivities in the area.

16. The advice from SNH (June 2006) was that a route in this area would pass through several designated sites and, on two out of the three land management units, the route would pass through woods with both lekking and breeding capercaillie. The route would pass one lek site directly. In addition, SNH noted that the area is:
 - a) a key feeding area for females getting into breeding condition and is used as a chick rearing area;
 - b) used by birds visiting another nearby lek within the Cairngorms SPA; and
 - c) an area where the number of capercaillie is predicted to increase over time providing no other significant changes occur.
17. SNH advised that the only alternative route to avoid this sensitive area is through woods which are also used by capercaillie. This area too is expected to become more attractive to capercaillie over time because of the targeted habitat management that has been undertaken for this species. In conclusion, SNH advised the National Park Authority that any proposal to extend the route through the area would have a significant negative effect on the capercaillie, a qualifying interest of Cairngorms SPA.
18. In view of the environmental sensitivity of the area, the level of public support that had already been expressed for the Wade Road option and the fact that a suitable route had already been identified from Dalraddy onwards it was decided not to consult further on a route option to the east of the Spey. However, there is clearly still a significant body of opinion that the route should be extended in this area. It is proposed that as part of the advice for SNH a summary of the views of respondents be made and forwarded to SNH so that they can take this into account as they consider the options and prepare a report for Ministers.
19. Turning to the two route options that were the subject of the recent consultation it should be noted that, in addition to the positive comments expressed above, a number of concerns were also raised. The most significant concerns are discussed below under four headings. In considering these concerns it is important to stress that both of the two principal land managers that would be affected by each of the route options remain strongly opposed to the extension of the long distance route on their ground.

Land Management Concerns:

20. There are two main land management activities on each route: farming and low ground shooting. Concerns have been raised about the impact of route extension on both these activities and on both route options. Health and safety concerns for users have been raised from having the route close to stock (especially at “pinch points” such as the underpass on the Loch Alvie option) along with the potential for dogs interfering with stock.

21. The main area for stock is in fields adjacent to the Loch Alvie option. In addition, the underpass, which would be utilised by long distance route users on Loch Alvie option, is currently used as a holding pen. The fields on the Wade Road option are let for summer grazing.
22. Of course farming activity takes place over much of the ground around the existing Speyside Way and generally an accommodation has been reached with farmers to ensure that stock and people are safely separated – for example, by fencing and provision of alternative stock holding facilities. The health and safety issues in relation to stock and people can therefore be managed but it is acknowledged that dogs can and do present a particular difficulty from time to time. The Scottish Outdoor Access Code contains specific guidance on taking dogs into the countryside and this is promoted on the Speyside Way website and elsewhere.
23. Low ground shooting (pheasants and/or duck flighting) is undertaken over both route options and the information received during the consultation indicates that this seems to be undertaken more intensively adjacent to the Loch Alvie route. Some roe deer shooting takes place close to the Wade Road option. Low ground shooting close to the Loch Alvie option is restricted to a relatively narrow strip of ground with few obvious alternatives available. The Loch Alvie option also passes through the rifle range which is currently used for zeroing rifles. Such shooting activity does present particular health and safety issues and consultees have indicated that there would be a direct adverse economic impact of each route option which is discussed below.
24. Shooting already takes place at a number of places close to the existing Speyside Way and can be managed so as to minimise potential conflicts. For example, on one estate users of the Route are held back for 15 or 20 minutes whilst a pheasant drive takes place and access resumes thereafter. However, this does involve some inconvenience for users of the Route and an additional staff presence is required from the estate which has cost implications. Roe deer shooting is undertaken with high velocity rifles and therefore carries considerable potential hazards and it is incumbent on anyone involved in this activity to ensure that they are not placing members of the public at risk.
25. There is currently no actively managed public access provision on the west side of the Spey in this area. Given that access rights already apply to most of the land in question and the close proximity of Aviemore it is likely that the presence of a Long Distance Route or actively managed path may help land managers by channelling access onto linear features. This should result in the movement of people being more predictable and, provided that there are other suitable areas available, make the management of shooting more straightforward.
26. On the basis of the issues raised above regarding land management impacts, and taking into account the likely mitigation measures that are available, the Wade Road option is the preferred route.

Economic and Social Concerns:

27. Concerns were raised about the impact of both proposed route options on economic aspects and on various social factors. It was indicated that if the Loch Alvie option were pursued it would result in the loss of at least two estate jobs through loss of economic return from shooting. In addition, it was said that this option would have a negative impact on the viability of a local business involved in shooting and sporting activities. Meanwhile for the Wade Road option it was said that implementation of the route would result in a 10% reduction in land value and the proposal would increase insurance premiums in connection with sporting interests. Similar concerns were made for potential loss in value of residential properties through having the route pass close by.
28. We have no firm basis on which to assess the veracity of such claims. Nevertheless the more intensive sport shooting arrangements on the Loch Alvie route along with the responses from members of the shooting syndicate and adjacent land managers seem to indicate that the impact on their low ground shooting could be considerable.
29. A number of respondents raised concerns about loss of privacy to their homes, the safety and wellbeing of children playing in adjacent gardens, security issues, disturbance from noisy and badly behaved walkers and litter. There are up to ten residential properties along the Loch Alvie option and such concerns were much more strongly expressed for that route. There would be less adverse privacy impact by taking the Wade Road option as only two houses would be affected and one of these is not currently in permanent residence.
30. The creation of a promoted route would indeed be a significant change for residents who have not had many recreational users in their area up to this time. Whilst the concerns are real, experience over the rest of the Speyside Way and elsewhere in Scotland has indicated that once the paths are established the number and severity of problems is relatively modest. Generally users of such routes come to enjoy the quiet countryside and behave responsibly, having no desire to impact adversely on other people's lives. In addition, it is likely that the route would be managed by a ranger service and they would be able to address some of these issues to a certain extent.
31. On the basis of the economic and social issues raised above, and taking into account likely mitigation measures, there would be less adverse impacts by extending the route along the Wade Road option.

Environmental Concerns:

32. Issues were raised by several consultees regarding the potential environmental impacts of both route options. These concerns chiefly focussed on the perceived risk of recreational disturbance to osprey, goldeneye, slavian grebe and oystercatchers.
33. Three respondents (one land manager and two individuals) highlighted potential difficulties of compliance with the Wildlife and Countryside Act 1981 and the Nature Conservation (Scotland) Act 2004 in relation to ospreys, goldeneye and slavian grebes. This prompted them to suggest the route extension should follow a route through Rothiemurchus / Inshriach.

34. Advice has been provided by Scottish Natural Heritage (SNH) on the environmental impact of both route options, both of which lie partly within the Loch Alvie Site of Special Scientific Interest. SNH are aware of the particular issue in relation to ospreys but their advice is that with careful planning of the detailed development of the route on the ground, it would be feasible to use either route without undue environmental impact. This advice was reinforced by the response from RSPB which expressed no concern or preference for either of the two route options.
35. There are therefore no overriding environmental concerns that favour one route option over the other.

Other Issues Raised:

36. *Visitor Management Plan for Dalraddy Holiday Park:* A small number of respondents questioned how the Wade Road option would relate to the decision of the Scottish Executive Reporter in January 2002 arising from a Public Inquiry into the expansion of Dalraddy Holiday Park. The Reporter approved a Visitor Management Plan (VMP) that had as its purpose the prevention or discouragement of access from Dalraddy Holiday Park onto the adjoining Estate. The aim for the VMP was to ensure the continued well-being of the adjacent landscapes, species and habitats. This decision has been cited by some respondents as a reason to prevent the Speyside Way following the Wade Road option.
37. The decision of the Reporter was made before the enactment of the Land Reform (Scotland) Act 2003. Access rights now apply to the land in question and consequently the prescriptions of the VMP to restrict access are now dated. Should the Wade Road option be taken forward by SNH and Ministers, careful planning should ameliorate any significant environmental impacts.
38. *Cost of route implementation:* A fully specified cost estimate has not been undertaken at this stage for either route. Within the lifetime of a route, the capital costs are not the most significant factor. Whilst relevant, these costs are one-off and it is the annual maintenance and inspections regimes that will be more significant. The Wade Road is shorter, runs over more even terrain, requires much less new path construction and would require two bridges while the Loch Alvie route would require four bridges. Both construction and maintenance costs are therefore likely to be lower overall for the Wade Road option. The advice to SNH should make clear that further work to estimate costs should be undertaken.

Reaching a Conclusion

39. The recent consultation exercise has demonstrated very considerable support from a wide range of parties using the Wade Road option. On the basis of the analysis above it is proposed that an extended Long Distance Route on this line will provide all of the benefits identified by consultees (as summarised in paragraph 11). In

addition, the Route will provide an attractive low ground, off-road link between communities and prominent centres of holiday accommodation in an area that currently lacks any form of managed provision for outdoor access. It is therefore proposed that the advice to SNH and the Speyside Way Management Group should focus on the following main points:

- a) That the Speyside Way should be extended to Newtonmore along the Wade Road option between Aviemore and Dalraddy, along the red line shown on the Map in **Annex 1**;
- b) That there is still some public support for extension of the route in the Rothiemurchus/Inshriach area;
- c) That beyond Dalraddy the route should follow the line shown on the map in **Annex 6** (as agreed by the Board at their meeting in September 2005);
- d) More detailed cost estimates for construction and maintenance of the route should be prepared prior to the submission of proposals to Ministers;
- e) That before the route extension is implemented, a thorough review of Speyside Way management arrangements is undertaken to ensure that best value is obtained for all partners and maximum community benefit is derived from maintenance and day to day management of the route (see paragraph 41 below).

40. **It is recommended that the Board agrees the advice to be given to SNH about the proposed extension from Aviemore to Newtonmore.**

Delivering Sustainability

41. A well managed Long Distance Route that is extended to Newtonmore will provide a high quality access facility. This will contribute to strategic objectives in the draft National Park Plan relating to enjoying and understand the Park and is in line with the strategic objectives on Conserving/enhancing and Living/working in the Park. The proposed extension of the Speyside Way forms part of the Priority for Action on providing High Quality Opportunities for Outdoor Access.

Delivering a Park for All

42. The extension of the Speyside Way will provide an attractive route, close to communities and to accommodation providers that is capable of use by a wide range of people. The detailed design of the route should, as far as possible, take into account the needs of multiple users and people of all abilities.

Delivering Economy, Effectiveness and Efficiency

43. The proposed extension of the route will be administered through the Speyside Way Management Group. This mechanism allows for the pooling of resources, savings through economies of scale and day to day management through provision of a dedicated team. However, the extension of the route so far away from the Moray Council area and from the base of the maintenance team in Aberlour raises questions

about economy, effectiveness and efficiency. While it will be desirable to maintain overall responsibility for management of the route within one single body there are perhaps some tasks that could be handled more effectively at local level, perhaps by community groups or land managers. There may also be opportunities for the role of rangers on the route to be broadened to work adjacent to the route. These issues require to be considered further before the route is implemented.

Financial Implications

44. Recent development of Long Distance Routes in Scotland has been a collaborative effort involving all those bodies who will have a role in the future management of the route. It is proposed that, should the proposal be approved by Scottish Ministers a similar approach should be adopted. External funding will be sought from other sources such as the Community Environmental Renewal Scheme (Aggregates Levy). Whilst the capital costs of any such development would fall on the partners in the Speyside Way Management Group, the cost of on-going maintenance will fall on CNPA.
45. A full assessment of the additional staffing and maintenance funding required to ensure the extended route meets the nationally agreed standard for long distance routes has yet to be undertaken. This will only be possible once the route has been finalised. However, the Route Manager has estimated an indication of the likely costs would be in the order of £130,000 for one-off capital works. The additional contribution towards management and maintenance is expected to be in the range of £58,000 per annum. This would mean an overall annual contribution towards the route's management and maintenance of around £115,000. However, as described above with such a significant extension to the Route it would be prudent and timely to review overall management arrangements on with a view to ensuring best value for all concerned.

Presentational Implications

46. There has been considerable public interest in seeing the Speyside Way extended to Newtonmore. Whilst there is broad support for the line of the proposed route there is also a number of individuals who are strongly opposed to the Wade Road option and/or who would prefer to see a route developed to the east of the Spey on Rothiemurchus/Inshriach. The final decision to approve the route rests with Scottish Ministers, guided by the recommendation of SNH.

Implications for Stakeholders

47. There are three broad stakeholder groups. These are the land owners and managers, those that live adjacent to the proposed route and the public who will wish to use the route. For the former two groups (and especially the principal land managers) on the Wade Road option there will be concern about the recommendations in this paper. A significant number of others will probably be pleased with the

recommendations. The potential users of the route will be looking to see early completion of the route.

Next Steps

48. The next step will be for CNPA officers to prepare a report for SNH and the Speyside Way Management Group, summarising the work that has been undertaken to date and advising them to take the proposal forwards as defined by the relevant legislation. If Ministers approve any proposal from SNH there are aspects of the route that will probably require planning permission, prior to implementation on the ground.

Bob Grant
Murray Ferguson
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bobgrant@ Cairngorms.co.uk
murrayferguson@ Cairngorms.co.uk