
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Section 13 Duty Casework

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Purpose: This paper provides an update to members on access casework for the current year to date.

Advice Sought

No advice is currently sought from members. The period since the last LOAF meeting has seen a number of existing cases resolved resulting in a decrease in the number of active cases logged.

Summary of access casework currently in hand

YEAR	2016
Live cases	8
Closed cases	18
TOTAL	28
Older cases (live)	2

New Cases

New cases recorded since the last meeting are summarised below:

Case 26 – Kincraig, Inshriach Forest: Historic clear felling reported as causing obstruction to an existing path used by mountain bikers. The issue is possibly with FCS owned landholding. Case logged and to be investigated.

Case 27 – Obstruction to River Dee: Complaint received over water gate installed over water at confluence of the Rivers Dee & Clunie, obstructing paddlers. Landowner contacted and site visit held to agree remedial measures. A solution has been confirmed to suit all parties and the case resolved.

Case 28 – Fishing ghillie acting hostilely towards River Spey users: Spey River Adviser reported problem on Kinchurdy Beat of the Spey. Currently awaiting more information from reporter. Case to be progressed once this is received.

Cases Ongoing

Case 05 – Glenavon Estate, nr Tomintoul: Complaints received about electrified deer fencing enclosing large areas of estate hill ground. Following investigation the complaints were upheld, the estate notified and remedial measures subsequently agreed. These measures, extending to additional signage and crossing points, are being monitored over time for effectiveness. It should be noted that the estate has co-operated fully and there is no longer any non-compliance occurring.

Case 07 – Revack Estate, Grantown-on-Spey: Following a meeting with the new owners of the estate at the CNPA offices agreement has been reached over use of signage in relation to closure of the shop and coffee shop. Signage being used was non-compliant and deterring lawful access to the estate by the public. The situation continues to be monitored ensuring the agreed position remains in place.

Closed Cases

Case 1 – Glenavon Estate, nr Tomintoul: Complaint received over electrified deer fencing enclosing large areas of estate hill ground. Complaint same as Case 06 and hence now merged for monitoring. Case closed.

Case 17 – Neighbour dispute involving alleged interference with access rights: CNPA view offered to complainant along with advice over next steps. Possible sale of second party property in the dispute which may result in change of attitudes. Case was being monitored, now closed.

Case 27 – Obstruction to River Dee: Complaint received over water gate installed over watercourse at confluence of the Rivers Dee & Clunie - obstructing paddlers. Landowner contacted and site visit held to agree remedial measures. A solution has been confirmed to suit all parties and the case resolved. Case closed.

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