

---

**CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM**

---

**Title:** Outdoor Access Casework

**Prepared by:** Fran Potheary, Outdoor Access Officer

**Purpose:** This paper presents the statistics for the period from 1 April to date.

**Advice Sought**

This paper is for information so no advice is sought but Forum members are welcome to comment as they see fit.

**Live** cases (active) are presented at the top of the sheet; and cases that have been dealt with and **closed** so far at the bottom of the sheet.

<b>YEAR</b>	<b>2012-13</b>
<b>Live</b>	25
<b>Closed</b>	34
<b>TOTAL</b>	<b>59</b>

**Overall Impression**

There have been **twelve** new cases reported to us in the last quarter since the last Local Outdoor Access Forum meeting in August. **Five** have been resolved and closed, **seven** remain under investigation.

**NEW CASES** (marked in a red box in Column B)

**Live**

**Case 5 – Aviemore**

This case concerns a blocked route round a deer farm. The signed alternative is difficult to use due to trees and vegetation. Contact has been made with the Estate to see if the route could be better defined.

**Case 7 – Ballater**

This case concerns a land managers' wish for improved communication with, and education of, the general public at a popular river side recreational site which experiences a degree of irresponsible behaviour. Attention has been drawn to the Tread Lightly suite of materials and impending interpretation panels under development by the local authority.

**Case 15 – Dalwhinnie**

This case involves an old deer stalking sign that is not compliant with the Scottish Outdoor Access Code. Contact will be made with the Estate regarding the opportunity to develop new signage based on the CNPA Deer Awareness Signage project.

### **Case 18 - Dalwhinnie Falls of Truim**

This case involves a concern that some water based activities could have an impact on salmon running between end-Sept and mid-Nov. Activities include gorge walking, river tubing and any in-water activities e.g. swimming, pool jumping. The issue will be discussed at a Spey User Group meeting and further communication with activity providers proposed.

### **Case 22 - Kingussie**

This case concerns a refusal by a land manager to allow a small horse-riding event to go ahead - a decision that was questioned by the event organiser. The CNPA advised that the small scale of the event and that the fact that it partially utilised a right of way meant that the event probably did fall within access rights and took the matter up with the Estate. Further clarification with the organisers is being sought.

### **Case 24 - Laggan**

This case concerns a locked gate on a Right of Way. The gate appears to have been locked as a result of Beaully-Denny works. In addition, a new gate into a woodland scheme has also been identified and although access across this ground is light (the gate leads onto a rough, pathless hillside), a watching brief will be kept to pick up other complaints that might belie the demand for access here.

### **Case 25 - Newtonmore**

This case concerns a reported locked gate and resulting site visit. Whereas there doesn't appear to be an issue with the gate, the visit led to discussion with the Estate over managing access for people with dogs especially around two black grouse leks. Work has started in providing signage for the Estate to help communication with the public in the spring.

## **Closed**

### **Case 3 - Aviemore**

A complaint was received from an activity provider who had received abuse from a land owner whilst taking rafts off the River Spey at an uncommonly used egress point. The land owner was spoken to by a member of the Spey Fisheries Board, and reminded of his responsibilities under the Code. This is likely to be a one-off incident.

### **Case 9 - Ballater**

This case concerns a query received from a member of the public about the de-promotion of a route in Pannanich Woods managed by FCS. The FCS advised that they had in fact taken steps to take out signage and interpretation on the route a few years ago, to protect the capercaillie in the location from adverse disturbance. Access rights still apply and the route is still open to passage.

### **Case 16 - Donside**

A complaint was received about difficulties accessing a hillside subsequent to the fencing-off of a woodland scheme. The scheme had provided for access at several points but local access from this specific point had been overlooked. The land manager agreed to go and make necessary alterations to facilitate access.

**Case 22 - Grantown**

A complaint was received by a home owner about noise associated with a night time event. The event organiser was contacted and they identified an unfortunate but one-off incident involving a specific group of participants who had behaved inappropriately during the 24 hour event. Steps have been identified for next year to ensure improved marshalling at the point the route passes by houses, and the organiser wrote to apologise.

**Case 29 - Kincraig**

A couple of enquiries have recently been received regarding loss and replacement of the bridge in Glen Feshie. The CNPA have written to them advising them of the responsibility of the land owner for its replacement, the extent of liability and the signed diversion.

**Updated Cases – Closed**

**Case 23 – Grantown**

This case concerns a complaint made a couple of years ago regarding non-Code compliant signage. Given the continuing popularity of the route in question and the inaccurate, rather than intimidating, nature of the signage, it is clear that people are still taking access here without a problem. However the Estate have accepted an offer of better signage and work is underway to do this.

**Fran Potheary**

**Outdoor Access Officer**

[franpotheary@cairngorms.co.uk](mailto:franpotheary@cairngorms.co.uk)