
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Outdoor Access Casework

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Purpose:

This paper presents the statistics for the period from November 2011 to February 2012

Advice Sought

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

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

YEAR	2011-12
Live	34
Closed	41
TOTAL	75

Overall Impression

There have been **fourteen** new cases reported to us in the last quarter since the last Local Outdoor Access Forum meeting in November. **Twelve** remain as live cases and the other **two** have been closed following advice, practical intervention and/or mediation. Two issues are worthy of note:

Fencing issues

Several cases are emerging out of peoples' concerns with the extent of new fencing that has been erected over the past few years. The fencing is largely put up for the purposes of woodland regeneration or for enclosing sheep within smaller compartments for the purpose of 'tick mops.' The concerns focus largely on the landscape impact, but also on the ways in which access is restricted and trammelled by high or electrified fences.

Mixing people and stock

Another couple of cases concern the mixing of people and stock. This is an inevitable part of 'life in the countryside' especially in Scotland where access isn't restricted to rights of way or paths – however changes in management (for example more intense use of land by cattle) can lead to people's access being impeded especially when cows and calves and/or a bull are run together. Signage, education, improved stock containment and alternative routes represent good ways to deal with the issues.

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

Cases 1-5, 15 and 16 Aviemore and Carrbridge – this case concerns six locked gates reported to the access authority, some of which have been recently locked and others

which may have been locked for a while. Site visits will be undertaken to look at each gate in turn. Recent forestry felling and water works may have contributed to changes in management regime.

Case 9 Braemar – a very recent report was received of a locked gate on a popular route to an old crofting site. Exact location has yet to be ascertained and the Estate approached.

Case 21 Donside – this case concerns a complaint about cattle straying over an open public road and intimidating people walking along it. Early indications are that there may be a neighbourhood dispute at the root of the problem but a site visit is underway.

Cases 22 and 23 Donside – these two cases concern complaints that have come forward about the landscape impacts of fencing in the Strathdon area, and access being obstructed in places as a result. Site visits will be arranged but in the meantime, a letter has been sent to the complainant describing the CNP deer and woodland management policies

Case 24 Donside – this case concerns stock gates being left open allowing stock onto open hill ground or into forestry. After discussion with staff on the Estate, the agreed solution is to provide self closing side gates, thus enabling the vehicle gates to be locked.

UPDATED CASES (marked by a yellow box in Column B).

Case 10 Drumullie, Boat of Garten – the CNPA are still receiving complaints about access here and are pressing the forest agents for a reply to the offer of gates. The FCS have become involved in applying further leverage.

Cases 11 and 12, Boat of Garten – this case concerns stock grazing on a long section of the Salmon Trail which is a core path. Complaints were received last summer by fishermen intimidated by cattle and a bull and unable to access the banks. The route has been open to stock for a while but there may have been changes in grazings that means people, dogs and stock mix more often. The route will be walked by an Access Office in conjunction with a member of the community council and options discussed.

A site visit has been arranged with a representative of the Strathspey Railway Company regarding the replacement of awkward stiles at the steam railway crossing point. This will be reported back on at the meeting

Cases 17 and 18 Dalwhinnie – CNPA are still awaiting a response from SSE regarding gates at either end of the leat track from Dalwhinnie to Meall a Chuaich, following a recent reminder. The route is likely to be (temporarily) affected by the works on the power lines.

Case 24 Donside – a complaint was received about a cattle grid that was difficult to by-pass. The access officer couldn't locate the problem on a site visit and has returned to the complainant for more details.

Case 25 Dulnain Bridge – the case concerns a ranger gate blocking horse access between the old and new A95, and also another ranger gate on a core path in Curr Woods. We are still trying to arrange a meeting with the local forestry manager to look at the site.

Case 26 Glen Clova – this relates to a previous complaint about an electric fence. A map has been received from Angus Council showing the extent of the fence and crossing points and verification is being sought from the complainant. No response as yet.

Case 28 Killiecrankie – since the privacy element of this case was discussed at the November meeting staff and community council representatives have met with the owners. In principle the estate accepts the need to manage the public on their ground and that a diversion, a view supported by the Forum, would be the best solution. The estate and the community council will be meeting shortly to explore different route options.

Case 31 Kingussie – the Estate have accepted the need for easier horse access here and have agreed to the installation of two deer gates which will go in before the end of March, weather permitting.

CLOSED CASES – new and updated

Case 17 Donside – this case was the second complaint received about a fence criss-crossing a walk to a hill top. Whilst the fence does have a landscape impact, it does not impede access as a new route is developing alongside and gates give access through the fence at sporadic intervals.

Case 18 Donside – this case involved a complaint from a member of the public regarding a collapsed bridge on a remote walk in the Strathdon area. CNPA took the view that the bridge was an adjunct to access which could still be taken through a ford en route. The CNPA have notified the Estate that there is potential community interest in refurbishing the bridge in the future.

Case 19 Donside – the same complainant raised an issue of a gate next to a cattle grid being awkward to open. The Estate was notified and has fixed the problem.

Case 27 Grantown – strictly speaking this is not a case for the access authority but we have been copied into extensive correspondence between the Police and a community member regarding quad bike access in the Anagach Woods and on the Old Railway Line. Quad bike use is irregular and sporadic and regular weekend police patrols have not resulted in catching the culprit. No consideration is being given by the Park Authority to restricting access as legitimate users such as horse-riders will be adversely affected.

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