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**CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM**

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**Title:** Outdoor Access Casework

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**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 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** so far at the bottom of the sheet.

<b>YEAR</b>	<b>2012-13</b>
<b>Live</b>	30
<b>Closed</b>	0
<b>TOTAL</b>	<b>30</b>

**Overall Impression**

There have been **five** new cases reported to us in the last quarter since the last Local Outdoor Access Forum meeting in February, of which 4 concern the re-emergence of old cases. **Eight** cases are in the process of being closed following concluding site visits, letters to complainants and agreements of work to be undertaken but these represent a real success as it is nearly a third of our current live case load.

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

**Cases 7 and 8 Ballater** – these concern the re-reporting of gates are impassable to bikes and horses, on an estate which has proved to be intransigent to access improvements in the past. Over the past 18 months since the case was closed there has been another two complainants from a couple. Approaches have been made to the neighbouring estate to see if any influence can be exerted through them – with the suggestion of a modification to make the stile more bike-friendly. The ranger will establish contact with the land owner and come back to the CNPA.

**Case 9 and 10 Ballater** - these two cases concern further complaints directed against an estate close to Ballater. These are part of a longstanding suite of issues raised over several

years. There are a number of actions that have been agreed with the land owner and once these are actioned, the cases will be closed. Strong local views on these cases are very polarised which has led to the Community Council being heavily involved. Due to the sensitive nature of these cases any future case is likely to be brought to the Forum for specific advice.

**Case 11 Braemar** - this case concerns a locked deer gate on a path off a hill local to Braemar. It has attracted only one complaint so far but CNPA access staff will be making a site visit to establish the popularity of the route, the reason for it being locked and other alternatives available.

**Case 30 Newtonmore** – this complaint has come forward from a crofter concerned about local access to a popular core path. Access is compromising successful land management in respect of stock management, lambing, and silage growth. Dogs and commercial riding school access have been highlighted as particular issues. Easy signage software has been used to create signs which are awaiting the approval of the crofter.

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

**Cases 1-5 Aviemore and Cases 13-16 Carrbridge** – these 9 cases all concern individual locked gates, or high narrow stiles on a single but very extensive estate. Two of the gates, closest to communities, are in the process of being replaced and case closure is pending. It is intended that the others will form part of an SRDP application for replacement with self-closing deer gates.

**Case 12 Boat of Garten** – after a long hiatus, a new gate has been installed at one of the woodland entrances. This was done without communication with the CNPA even though we had offered to assist financially. Whilst this represents a step forward there are still a number of other entrances where locked gates barring access need to be addressed.

**Cases 17 and 18 Dalwhinnie** – CNPA are still awaiting a response from Scottish and Southern Energy 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.

**Cases 19 and 20** – recent communication with Sustrans has categorically established that responsibility for maintenance of the NCN7 route lies with Transport Scotland under Minute of Agreement with Sustrans dating back to 2004. This gives us a much clearer way forward to lever for improvement to infrastructure on the old sections of A9.

**Case 21 Donside** – this case involves fencing that has the potential to impede public access. A site visit is still required.

**Cases 22 Donside** – this case involves a locked gate reported on a route. The gate forms part of a farmed deer enclosure and is therefore sometimes locked and sometimes open. The CNPA has taken the view that the land owner is managing his land appropriately in respect of deer farming guidelines and we have recommended to the local walking group that they communicate with the land owner in respect of times they wish for access through the area. This case is pending closure.

**Case 23 Dulnain Bridge** – the case concerns two ranger gates blocking horse (and other) access between the old and new A95, and also another ranger gate on a core path in Curr Woods. We have met with the forestry agent who has agreed to install two new gates once woodland felling has been completed. The gates have been purchased and are awaiting collection by the contractor. This case is pending closure.

**Case 25 Killiecrankie** – the estate and the Community Council are meeting shortly to explore an alternative route that has been identified by the land owner. The community council expressed overall satisfaction with the alternative, but staff members from the CNPA are intending to assess the impact on a likely range of users. There will be further feedback at the LOAF meeting.

**Case 29 Laggan** - this case concerns some decrepit “No Camping” signage near Loch Spey. Following successful negotiation with the Estate for a new gate over a right of way, contact has been made to see if there is interest in modifying the signage. Due to staff changes at the land agent in question, they have contacted to say they will be in touch once a site visit has been made.

### **Other matters**

#### **Grantown – quad bike use on Old Railway Line**

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 (ORL). Quad bike use is irregular and sporadic and regular weekend police patrols have not resulted in catching the culprit. The Park Authority have provided ‘reminder signage’ to both legitimate and illegitimate users of the ORL asking people who observe unauthorised motorised use to report the matter to the Police or Highland Council Countryside Rangers.

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