
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Outdoor Access Casework – access issues 2010-11

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Purpose: This paper is presented in two parts. Part One reviews the statistics for the year ending April 2011 with a focus on the typology of the cases closed over the year. Part Two looks at any developments in access issues that have been carried forward into year 2011-12.

Advice Sought

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

Part One – Review of Last Year access issues

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	2010-11	2009-10
Live	27	38
Closed	63	39
TOTAL	90	77

During the year from April 2010 to March 2011 we dealt with a total of 90 issues. At the year end just over 63 cases had been resolved and closed, and 27 carried forward to the current year. As there wasn't a year-end access issues paper last year, we are unable to compare the year with the preceding one accurately but figures taken from Feb 2010 indicate that we dealt with 77 cases that year of which 38 were carried forward. Therefore our result rate, crudely speaking, increased from half to two thirds!

I. Community Council Area

The spreadsheet is presented in alphabetical order according to Community Council area. Aviemore, Braemar and Kincaig all had 7 cases closed last year; Grantown had 6 and Ballater had 5. Given that these are amongst the biggest communities in the Park, it is hardly surprising that the greatest numbers of access issues are reported in the vicinity of greatest likelihood of use.

Aviemore	7	Glen Esk	2
Ballater	5	Glenlivet	1
Blair Atholl	1	Grantown	6
Braemar	7	Killiecrankie	1

Boat of Garten	2	Kincraig	7
Carrbridge	2	Kingussie	2
Cromdale	1	Laggan	4
Dalwhinnie	4	Nethy	3
Donside	4	Newtonmore	4

2. Types of cases

- a) **Obstructions** - includes physical barriers such as gates, fences, stiles, ploughed fields, dangerous animals, cattle-grids
- b) **Information** - includes signs, leaflets, and other written information
- c) **Behaviour** - includes confrontation, on the ground conflict reported by either land manager or recreational user
- d) **Water** - any water based issues
- e) **Groups** - includes organised events, activity groups e.g. DofE, congregational camping
- f) **Legal** - includes rights of way, query over sections of the Act, planning, path agreements
- g) **Planning** - queries about curtilage, reasonable privacy etc

Obstructions	26
Information	15
Behaviour	12
Water	4
Groups	3
Legal	2
Planning	1
TOTAL	63

3. Type of land management unit

This table refers to the nature of ownership or land management in the location where an access issue is reported. Most are occurring on private estates (large units of forestry, sporting estates etc); land owned by public bodies such as FCS or Local Authority and to a lesser extent on farms or crofts. A few relate to industrial or urban sites e.g. quarries or amenity strips in villages; commercial premises e.g. watersports centre; community trusts e.g. woodland trust; or a Non-Governmental Organisation e.g. RSPB or NTS

Private estate	20
Public body	11
Farm/croft	3
Commercial premises	2
Urban/industrial	2
Community Trust	1
Non government organisation	1
TOTAL	63

4. Reporting Source

Issues are generally raised by or on behalf of *recreational users* and *land managers*. *Official* sources are those that are raised with CNPA by representatives of organisations or agencies e.g. other local authority access staff, rangers and planners; Community Councils; the police; Scottish Natural Heritage, etc. Reporting sources (REC = recreational user; LAND = land manager; OFFICIAL) are indicated for each case. The high reporting by recreational users corresponds with the fact that most access issues concern obstructions and signage.

Recreational user	49
Land Manager	7
Official	5
Rec user and land manager	2
TOTAL	63

5. Core Paths

Of the closed cases, 41 issues were not on core paths; 18 were on core paths and in 4 cases, core path status was irrelevant as the case either involved general behavioural issues e.g. camping or dogs; or open spaces e.g. untracked moorland

6. Priority

Of the 63 closed cases, 21 were classified as higher priority and 42 as lower priority. This compares to 9 higher priority and 18 lower priority cases carried forward.

Part Two – current access issues 2011-12

New cases are marked in a red box in Column B. Updates on cases where there are significant steps forward are marked in a yellow box in Column B.

Case 1 Aviemore – in an effort to improve access for horse-riders, the CNPA have instigated fresh contact with this Estate regarding a large stile on a Right of Way and offered a self-closing gate as an alternative. The Estate have come back with queries about the efficacy of such a gate and a response is being prepared. LIVE

Case 3 Ballater – this case concerns the turnstile bridge at Cambus o' May. CNPA wrote to Aberdeenshire Council asking them to make modifications in February 2011. We understand that they will need to assess the bridge for the extra loading that increased access might entail. LIVE

Cases 4 and 5 Ballater – these issues concern access around Ballater on two different estates. Both are long running issues – one of which the CNPA has made little progress on. CNPA has met with the Community Council with a view to the Council pressing the case with the land managers direct for improved access. LIVE

Case 6 Ballater – this case concerns a locked gate on a bridge over the river Dee. The CNPA have written asking if the gate could be trialled unlocked and are awaiting a response. LIVE

Case 10 Carrbridge – this case was raised by a member of the public who was concerned that fresh signs about shooting were not Code compliant. The signs were found to be Code compliant but the land manager has been advised that extra signs might be needed at other access points to the woods. CLOSED

Case 13 Dalwhinnie - this concerns the well-publicised matter of access across the dualled A9. Transport Scotland appears to have found workable solutions for walkers and cyclists utilising cattle creeps but equestrian crossing in the vicinity remains problematic.

Case 15 Dulnain Bridge –an impassable ‘rambler’ gate between the old and new A95 is causing a problem to a local horse-rider who wishes to escape the busy road. The CNPA are currently trying to identify the relevant land manager to ascertain whether they would be willing to put in a gap or simple gate.

Case 16 Grantown – this is a longstanding case that has now been closed. The Estate put up Code compliant signage concerning dogs on leads or under close control during the breeding season. CLOSED

Case 18 Grantown – this case is potentially a planning issue for the local authority as it concerns the blockage of a through-way between residences subsequent to a new-ish housing development. CNPA are going to revert to planning officials for more information.

Case 19 Killiecrankie – this case concerns a gate on a path that was locked last summer to deter local access takers. The path has been used over a number of years but it passes very close to the main residence. CNPA inherited the case from Perth and Kinross and intend to meet the owner for a discussion about why the gate was locked in the first place. LIVE

Case 20 Kinraig – this case concerns a number of access issues (bird disturbance, toileting, gates left open) in the vicinity of the Spey. A small group is taking forward an initiative to look specifically at toileting which is of primary concern. Signage has dealt with the potential disturbance issue. LIVE

Case 28 Nethybridge – this case was raised by a member of the public who pointed out a badly doctored (non Code compliant) land management sign stating that dogs must be kept on leads at all times. CNPA have written to the Estate to offer help with signage and have yet to hear back. LIVE

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