

CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title	Core Paths Plan Review – formal consultation
Prepared by	Adam Streeter-Smith, Outdoor Access Officer
Purpose	The purpose of this paper is to highlight the key issues from the recent formal consultation on the core paths network.
Advice Sought	

Advice is sought from the Forum on the:

- a) **Does the Forum consider that there is a strong case for the inclusion of the Tulloch Moor route in the Core Paths Plan?**
- b) **Given the arguments for the Highburnside route's inclusion remain unchanged should the lack of community council support be a deciding factor in whether this route should be included or not?**
- c) **Given the sensitive nature of the site and the drive to conserve Capercaillie should we reconsider designating the Thieves Road until such time as the framework is in place and there is a stronger evidence base?**
- d) **Does the Forum consider that the existing upland core path network, including the new Atholl upland paths, is sufficient to provide reasonable access?**
- e) **Does the Forum wish to comment on any other objection in annex 2?**

Background

1. The formal consultation came to a close on the 5th of July 2013. A total of 31 representations were received of which 19 are valid objections. Valid objections require a change in the plan as well as a name and address and to be submitted within the consultation period.
2. Broadly the objections fall into four loose categories those relating to the management of Capercaillie, those relating to an ongoing access issue (flooding), mountain paths and perceived lack of provision in the network around Kingussie and Newtonmore.
3. Specific objections to note relate to the desire to see:
 - a) The Tulloch Moor Road designated,
 - b) LBS124 the Highburnside to Craigellachie removed;
 - c) GRI17 the Thieves Road between Loch an Eilien and Feshiebridge removed.

4. Other amendments sought included the removal of routes in Carrbridge, Glen Loch and Ballater. Others sought minor modifications to existing routes and changes to the text of the plan. Finally a number of objections related to the inclusion of mountain routes.

Advice on proposed changes

Tulloch Moor Road

5. There are five objections requesting that the Tulloch Moor Road (see annex I) be included in the plan. There are six representations against the inclusion of the Tulloch Moor Road. At the heart of the objections is an issue with a flooded section of the road. This flooded section has become impassable to most vehicles and there is a growing concern from some quarters that it will also obstruct access. Those against its inclusion cite concerns about an increase in vehicle traffic and the impact on nearby sensitive species and stock from an increase in users. Separate to the issue of core path designation the Park Authority is seeking to bring all the parties together to find a reasonable solution.
6. Previously sections of public and private road have only been included in the Plan if they are an important link in the network and already well used by walkers and cyclists. The Reporter at the last inquiry did remove sections of road from the plan that were distant from communities and did not link up communities or services.
7. The CNPA does recognise the route is quite popular for cyclists but it is remote from and does not link directly into the existing core path network. Those seeking its inclusion are trying to resolve a land management issue through designation.
8. The Forum advised the CNPA at the Tomintoul meeting in November 2012 that on balance additional roads and pavements in the Core Paths Plan would be over provision unless they are integral to the network around and between communities.

Does the Forum consider that there is a strong case for the inclusion of the Tulloch Moor route in the Core Paths Plan?

LBS124 Highburnside Path

9. The Estate has renewed its objection to the path as in their view it doesn't meet the Plan objectives, isn't needed and doesn't fit with the communities' aspirations. The Aviemore and Vicinity Community Council has also objected to this route being included on the basis that LBS145 (the new route through MacDonald Highland Resort) fulfils the need to improve linkages to Craigellachie NNR and completes the Aviemore Orbital path.

10. One member of the public did write in supporting the routes designation and we are aware that SNH still considers the route to be an important link into the reserve. Previously the Forum did support the inclusion of the route on the basis that there did need to be a future proof element to the plan but only with strong community support.
11. In this instance the arguments remain the same for the routes designation, arguments supported by the Reporter, however there is currently little support from the Community Council.

Given the arguments for the Highburnside route's inclusion remain unchanged should the lack of community council support be a deciding factor in whether this route should be included or not?

GR17 The Thieves Road

12. In taking forward the proposal to designate the Thieves Road (GR17) the CNPA did so on the understanding that there were outstanding issues regarding Capercaillie. The CNPA still needs to assess fully the implication of designating the route and this is set against the backdrop of the emerging Capercaillie framework. The development of this framework will consider management measures including moving access away from certain areas. That said SNH have advised that designating the route would not adversely affect site integrity and the qualifying interests of the Special Protection Area.
13. The Estate has objected to the designation of the route on the grounds that designation would lead to wider promotion of the route and more people using the route. This in turn would lead to users seeking out other routes which could have a detrimental impact on nesting Capercaillie. The Capercaillie BAP group cited similar concerns in their representation.
14. The AVCC supported the routes inclusion subject to carefully planning and practical measures to prevent damage to the surrounding sensitive habitat.
15. The Forum in it formal response supported the inclusion of the Thieves Road on the basis that designation is a tool to aid management and that sufficient safeguards are in place to prevent designation having a detrimental impact on Capercaillie.

Given the sensitive nature of the site and the drive to conserve Capercaillie should we reconsider designating the Thieves Road until such time as the framework is in place and there is a stronger evidence base?

Other routes

Mountain paths

16. The CNPA has received separate objections on the non-inclusion of Jocks Road's and the Minigaig as well as routes linking Glen Feshie and Glen Tromie and Glen Tromie and Ruthven Barracks. There is also an objection to the inclusion of the Glen Fearnach Path (MTBL/102) see annex 2.
17. Those seeking the inclusion of upland paths do so on the basis that the routes meet with the objectives of the Core Path Plan, that designation would protect access along the chosen routes and that the routes themselves are popular.
18. The objection against the inclusion of Glen Fearnach was made on the basis that increased use of the route may lead to damage to the path and could impact on the ability of the estate to manage deer and meet its obligations under an existing deer management agreement. The candidate core path through Glen Fearnach does connect across the Park boundary with the Perth and Kinross Core Paths Network and does connect Atholl with Kirkmichael.
19. The CNPA is minded to reject these objections. Previously the Cairngorms Local Outdoor Access Forum and the CNPA Board supported the view that there should be a presumption against the designation of upland paths. That said it is recognised that for the core paths network to be sufficient on a park wide level there does need to be linkages across the Park. These linkages have to be physically robust and easier to follow. It was agreed that the existing passes through the straths i.e. the Gaick and Lairig Ghru best fitted with this criteria and well as fitting with the plan objectives. It is our view that the designation of these routes would be over sufficiency.
20. With regard to Glen Fearnach it is our view that this route fits well with the objectives and should support the land manager in managing access on their land.

Does the Forum consider that the existing upland core path network, including the new Atholl upland paths, is sufficient to provide reasonable access?

21. In conclusion the Park Authority is continuing to negotiate with objectors but in the most part is minded not to uphold most of the objections

Does the Forum wish to comment on any other objection in annex 2?

Adam Streeter-Smith

10th September 2013

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Annex I- Summary of main objections

Paths/route	For	Against	Summary of objections	Likely CNPA response
Designation of the Tulloch Moor Road near Boat of Garten	5 (objections)	7 (comments)	<p>The objectors see its inclusion as a way of addressing a long-standing flooding issue on the route. Currently the route is impassable by cars and difficult to negotiate on foot or by bike.</p> <p>Those making representations against highlight the questionable status of the route as a vehicle track, concerns about increase use as a result of An Camus Mor, impact on crofting and the lack of local support.</p>	<p>The CNPA is already seeking to resolve the flooding issue by working with the Community Council and other partners to find an equitable solution. It is the view of the Access Team that this route shouldn't be included on the basis that it doesn't fit well with the objectives.</p>
LBS124 Highburnside to Craigellachie NNR, Aviemore	1 (representation)	2	<p>Both Reidhaven and the AVCC object to this path on the basis that it doesn't fulfil the objectives of the plan and a lack of demand.</p> <p>One member of the public supported the route as it would provide a valuable link for residents in the northern part of Aviemore.</p>	<p>The Estate took this route to an inquiry last time and the Reporter supported the CNPA's position and recommended its inclusion. The AVCC</p>

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Paths/route	For	Against	Summary of objections	Likely CNPA response
				previous supported the route. The arguments for this route remain the same.
GR17 The Thieves Road, Loch an Eilein to Feshiebridge	1 (representation)	2	Both Rothiemurchus Estate and the Caper BAP group have objected to this route on the grounds that this route passes through valuable Caper habitat and that any increase in use will have a detrimental impact. AVCC supported its inclusion on historical grounds.	This route was considered carefully in the HRA and SNH have stated that the designation of the route wouldn't adversely affect the integrity of the site. This route is supported by the Forum.

Annex 2- Other changes to the Plan

Representation (Summary)	Modification Sought
<p>Requests five additional well-used paths are added to the maps in SG page 108, Central Cairngorms, as follows 1) Glen Tromie to Allt Bhran to Glen Feshie above Glen Feshie Lodge 2) Achlean in Glen Feshie to the waterfall 3) Achlean in Glen Feshie to Cam Ban Mor 4) Path signs by Scottish Rights of Way Society at Ruthven to the Tromie at Glen Tromie Lodge and the Tromie north of Lynaberack Lodge 5) B970 on west side of Tromie Lodge to Gland Tromie Lodge- this path is well-used by dog walkers.</p> <p>Questions whether Burma Road near Aviemore, from Allt na Criche over the hill to Boat of Garten via Slaggan, is included in CPP. Is this LBS114?</p> <p>Requests the addition of paths close to LBS142 from Old School to Inveruglass and the track on other side of Brae to LBS72 to Map 16 Kincriag and Insh (page 137 of SG).</p> <p>Request addition of path, round Loch Gynack via Pitmain Lodge joining UBS34, and from UBS34 to Ballachroom and West Terrace Kingussie to Map 17 Kingussie (page 139 of SG)</p>	<p>Add Glen Tromie to Allt Bhran to Glen Feshie above Glen Feshie Lodge path, Achlean in Glen Feshie to the waterfall path, Achlean in Glen Feshie to Cam Ban Mor path, the path signs by Scottish Rights of Way Society at Ruthven to the Tromie at Glen Tromie Lodge and the Tromie north of Lynabeack Lodge and the path on west side of Tromie Lodge to Gland Tromie Lodge to the Core Paths Plan Map One: Central Cairngorms (page 108 of the SG).</p> <p>Seeks clarification as to whether Burma Road near Aviemore is included in CPP.</p> <p>Add paths close to LBS142 from Old School to Inveruglass and the track on other side of Brae to LBS72 to Core Path Plan Map 16 Kincriag and Insh (page 137 of SG).</p> <p>Add path round Loch Gynack via Pitmain Lodge joining UBS34, and from UBS34 to</p>

Representation (Summary)	Modification Sought
	Ballachroom and West Terrace Kingussie to Core Path Plan Map 17 Kingussie (page 139 of SG)
<p>Amend path at Cairngorms / Eastern Cairngorms (pp 109-111) to add the existing route known as 'Jock's Road'. This path meets several of the Objectives of Core Paths and the Plan: including</p> <ul style="list-style-type: none"> - it joins path EC1 Dounalt Walk to path EC12 Glen Callater, and should be recognised as a path between communities and to public transport connections and places of local importance. - the path fills a significant missing link in the plan's cohesion, and will help promote understanding of the relationship between the Cairngorm Mountains and Eastern Scotland. - it is a popular and well used route - it is well within the capabilities of a wide range of walkers - recognition would consolidate its position as a high quality outdoor access opportunity - Recognition would help conserve the park's cultural heritage 	Include Jocks Road as a core path.
Request update to CPP for Ballater to reflect the negotiated alternative route for the seven bridges walk, including the new footbridge across the River Gairn at foot of Gairn, which avoids the A93.	Update CPP for Ballater to reflect the negotiated alternative route for the seven bridges walk avoiding the A93.
Does not support the inclusion of Glen Fearach path MTBL/102 in CPP as increased access would cause management problems in relation to deer, peat would be eroded and the proposed path starts two miles up a private road with no access or parking facilities.	Remove proposed Glen Fearach path MTBL/102 from the CPP

Representation (Summary)	Modification Sought
No Objections to CPP but request a larger scale map is used to more clearly delineate the routes	Use larger scale maps in CPP
Requests realignment of Core Paths UDE29 in Ballater, in particular closing off current river access through car park of Cornellan Square development. Requests additional signage provided to link to other paths in village and requests extensions to other paths to link up through the village (map provided).	Request deletion of current river access through car park of Cornellan Square development in CPP and inclusion of extension to UDE29 to go behind the ex-hotel and current CLAN charity shop/support centre building (map provided) and extension of UDE3/31 down Monaltrie Road and over Royal Bridge to link up with UDE34 and UDE28.
Should include statement to clarify there will be no new paths in areas of high or medium wildness value. Access to paths by damaging users in central Cairngorms should be discouraged. Support policy of no signage in central Cairngorms and suggest extending this to areas of high and medium wildness value, except in woods.	Clarify wording regarding areas of high and medium wildness value Discourage damaging users from certain fragile areas.
Carrbridge - object to route to west of Lochanhully. Aviemore - object to River Spey crossing. Development is a long way off and without it there is no need for such a path/crossing.	Remove proposed path to west of Lochanhully Remove proposed path at River Spey crossing
Para 13.5 bullet 6 - suggest that a core path should only be allowed where appropriate mitigation has been agreed, not as suggested, where there is no other viable development option available. Where this cannot be achieved the authority should refuse any application that has a negative impact on core paths. (this would also bring the CPP in line with the policy section c)	Amend para 13.5 bullet 6 to clarify the requirement for appropriate mitigation.

Representation (Summary)	Modification Sought
<p>Minigaig Pass (from Glen Tromie to Blair Atholl) should be included.</p> <p>Newtonmore - additions to include Fisherman's trod; Hill path over Creagh Dubh; Hill paths to the high Monadhliath</p>	<p>Minigaig Pass (from Glen Tromie to Blair Atholl) should be included.</p> <p>Newtonmore - additions to include Fisherman's trod; Hill path over Creagh Dubh; Hill paths to the high Monadhliath</p>
<p>Aviemore - support in general. Important to have paths identified on both sides of the A9 to help access Craigellachie. Welcome the proposed path between Highburnside and Craigellachie. Also suggest an additional path linking Aviemore and Kincaig.</p>	<p>Support Craigellachie</p> <p>Include additional path between Aviemore and Kincaig.</p>
<p>We object to the following core paths due to potential adverse impacts of recreational disturbance on capercaillie.</p> <p>LBS 11,13,16, Anagach Woods</p> <p>LBS 116 Mondhuie</p> <p>LBS 53 Docharn</p> <p>LBS 67,69 Boat Wood</p>	<p>Delete paths</p> <p>LBS 11,13,16, Anagach Woods</p> <p>LBS 116 Mondhuie</p> <p>LBS 53 Docharn</p> <p>LBS 67,69 Boat Wood</p>
<p>Observes that most of the Core Paths in Ballater are local in purpose, and social in context. UDE3 Deeside Way might be upgraded to allow the route to be used for transport to work but beyond Pannianich route the route is used only for social purposes. UD31 Cinder path between the medical centre and Morven way could also be considered for upgrading to allow travel to work and shopping, but this would need evaluation at a local level. UD30 Craigendarroch walk- questions core path status of this walk and the works required to bring this to standard would spoil its character. UDE60 Ballater to Craigendarroch hotel has some travel to work transport as well as social use but believes this does not justify any upgrading work.</p>	<p>Requests removal of UED30 and UED60 from Core Path Plan.</p>