
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Section 13 Duty Casework

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Purpose: This paper provides an update on access casework for the current year.

Advice Sought

No advice is currently sought from members. The period since the last LOAF meeting has seen a number of existing cases resolved resulting in a decrease in the number of active cases logged.

Summary of access casework currently in hand

| YEAR | 2016 |
|--------------------|-----------|
| Live cases | 10 |
| Closed cases | 8 |
| TOTAL | 18 |
| Older cases (live) | 5 |

New Cases

New cases recorded since the last meeting are summarised below:

Case 25 - Locked gate across track leading from A939 to Cromdale Hills : existing gate across track just off the A939 (Grantown to Tomintoul) road reported as being locked and impeding pedestrian access. Complainant contacted and subsequently advised that the gate had been unlocked. No further action taken. Case closed.

Case 26 – Prohibitive signage : Non-compliant signage directed at dog-walkers reported at main entry point for visitors to Balavil Estate (nr Lynchat). Signage was found to be quite extreme in notifying visitors that dog-walkers who did not use a lead would be ‘banned’ from the estate. Subsequent contact from Dave Fallows was received on the same issue.

Agreed that DF would raise the issue with the estate Factor during a forthcoming meeting to be held. Feedback is waited. Case current.

Cases Ongoing

Case 06 – Glenavon Estate, nr Tomintoul : Complaints were received about electrified deer fencing enclosing large areas of the estate hill ground. Following investigation the complaints were upheld, the estate notified and remedial measures subsequently agreed. These measures, extending to additional signage and crossing points, are being monitored over time for effectiveness. It should be noted that the estate has co-operated fully and there is no longer any non-compliance occurring.

Case 08 – Revack Estate, Grantown on Spey : Following a meeting with the new owners of the estate at the CNPA Offices agreement has been reached over use of signage in relation to closure of the shop and coffee shop. Signage being used was non-compliant and deterring lawful access to the estate by the public. The situation continues to be monitored ensuring the agreed position remains in place.

Closed Cases

Case 20 – Quarry track nr Dalwhinnie (Carn na Caim) : Complaint received concerning prohibitive sign on fence. Checks showed that signage was statutory Health & Safety signage for Beaully – Denny works. Signage to be removed once reinstatement work complete. Case closed.

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Case 24 – Hill access, Creag Ruadh nr Laggan : Complaint received concerning locked forestry (deer) gates obstructing access to hill ground. Case under investigation however MCoFS access officer subsequently reported that another member of the public affected by the restriction during a visit had chosen to contact the relevant estate directly to complain and had this had since led to resolution. Thanks were conveyed to the person concerned via MCoFS and it was agreed that the case was a good example of the ‘power of the individual’. Case closed.

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