
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	2015
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 23 - Locked gate across track leading from Torcroy to Tromie : existing barrier across track just off the B970 Ruthven to Insh road reported as being locked and impeding pedestrian access. Investigation revealed new powerlines (on large wooden reels) are being stored and it is assumed the gate is locked for security while the cable is stored. Agreed to observe situation to await removal of cable reels. Case current.

Case 24 Damage to surface of Speyside Way path : Erosion of surface of path reported near to mainline railway underpass near to Lochan Mor housing scheme.

Investigation has shown that quad-bikes are using the path unlawfully and exacerbating flood origin erosion of the path surface. Police contacted to discuss options for dealing with quad-bike use. Case current.

Cases Ongoing

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 25 – Pitmain Estate, Kingussie : Following unlawful blocking of core path UBS34 caused by installation of a fenced enclosure, a planning application has been submitted and approved (21/04/15) for a permanent diversion to allow the enclosure to remain in place and core path UBS34 to continue to function effectively. Construction of the new path has now been completed and inspected to the satisfaction of the CNPA. The case is now closed.

Case 15 – Dalmunzie Estate, Glen Lochsie : Complaint received concerning excessively restrictive restrictions placed on hill-walkers during the stag stalking season. The estate owner was contacted and assistance offered in respect of signage and suitable, less restrictive guidance. Time was allowed for take-up of the offer however the estate has since been sold so pursuance of the case is no longer appropriate. Case closed.

Case 3 – 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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