

## Cairngorms Local Outdoor Access Forum

### MINUTES OF THE FORTY FOURTH MEETING KINCRAIG COMMUNITY HALL, KINCRAIG

Tuesday 18<sup>th</sup> August 2015

#### **Summary of Action points arising from meeting**

Due to a site visit the business meeting was shorter than normal : no Action Points were raised.

#### **Item 1 – Welcome**

EB welcomed everyone to the meeting, including two observing members of the public (noted below).

#### **Forum members in attendance:**

Eric Baird (Convenor)	Paul Webster
John Grierson	Vicky Hilton
Anne-Marie Nuttall	Nick Cole
Katrina brown	Ruaridh Ormiston
Alasdair Johnston	

#### **Others in attendance:**

Doug Stewart, CNPA	
Adam Streeter-Smith, CNPA	
Eric Dodd, Public Observer	
Jim Hall, Public Observer	

#### **Item 2 - Apologies**

Peter Mackay	Richard Gledson
David Clyne, CNPA	

#### **Item 3 – Minutes of the Last Meeting and the Actions Points discussed.**

The minutes of the last meeting were approved with one amendment - DS pointed out an error

#### **Matters Arising**

- EB expressed concern that there was still no representation from the CNPA Board present at the meeting.

#### **Action points arising from the last meeting:**

**API** – Carried. EB is meeting with Peter Argyle soon to discuss CNPA board member representation at the Forum.

**AP2** – Carried. DC absent - carried.

**AP3** – To be discussed under Agenda Item 4 (Paper 1)

**AP4** – Discharged

**AP5** – Discharged

**AP6** – Carried. EB hasn't sent it yet – noted it should go in CNPA headed paper.

#### **Item 4 – Ranger Service Review - Informative for Next Meeting**

1. Adam SS outlined the context and initial proposals for a review by Visitor Services of the current funding and support for Ranger Services in the National Park. He explained the purpose of the review is four-fold:
2. (1&2) Resident and visitor numbers are increasing each year and changes to patterns of recreation mean that the distribution of Ranger provision set over a decade ago does not meet current needs;
3. (3) There are a number of new strategies which require Ranger Service input for delivery such as Cairngorms Nature, Active Cairngorms and the Capercaillie Framework.
4. (4) Public sector funding is declining and a reduction in funding support for rangers is beginning to occur so it is essential to ensure future funding places services on a sustainable footing.
5. Adam went on to further outline proposals for discussion in greater depth at the next LOAF meeting by which time members will have considered and digested the informative paper presented at the meeting.
6. Further general conversation ensued however the topic will be discussed and minuted in detail at the LOAF meeting of 17<sup>th</sup> November.

#### **Item 5 – Access Casework**

1. There are currently 18 live cases and 2 new cases have been recorded since the last meeting. Case 34 and 35 were raised by Graham Fraser, Chair of the Newtonmore Community Council. DS advised officers were aware of both of these cases.
2. Case 34 - the locked gate on the approach to the Coffin Road. After investigation CNPA officers are of the view that the gate is locked lawfully. Officers have found no evidence to suggest the gate is deliberately being locked. The Scottish Outdoor Access Code allows for locking, given that the field is used for the active grazing of livestock and is close to a public road. RO advised the farmer has all sorts of cattle gates for getting cattle in for water which also blocks the road and this is not recognised as a right of way. RO advised the Coffin Road goes back to one of the first ever access cases which went to the High Court in Edinburgh and is the reason for all of the signs on the farm. DS responded to say that officers sympathise with the issue but stressed there is also the need to take into account the balance of rights where the land owner has a right to take account of their own livestock grazing requirements. DS advised officers would be supportive of the solution of working with the land owner to have a side gate installed for pedestrians as it is not appropriate for enforcement to be considered.
3. Case 35 – Cattle grid bypass route on Glen Banchor Road. DS advised, after investigation, the dilapidated gate is not obstructing access rights. The gate is broken but it can be swung open. Also responsibility for such side gates lies with the Local Authority who have a statutory duty to maintain them in a serviceable condition. DS has passed the matter to the relevant person within Highland Council and confirmed that the complainant should make a point of following the issue up directly with the Council.

4. There are 2 further ongoing access cases, one at Revack Estate (which Adam SS is dealing with) and the other at Pitmain Estate near Kingussie. There was discussion around the length of time these cases had been going on for and EB stressed that there is a need to ensure they do not lose priority as a result of this. DS explained the issue of resources within the team and pressures meaning that rigorous prioritisation of casework is necessary. There was discussion around no.9 and 14 and disappointment was raised these are still ongoing when the CNPA has produced guidance on land management

#### **Item 6 – Highlights of the Activities Update and Forward Look**

5. Grant money has been used on the Carrbridge bridge repairs.
6. The Tomintoul/Glenlivet Landscape partnership is well underway and preparations for the development phase is out to tender. The budget for this work is £20,800.
7. Plans for the possible construction of a low level path between Glenlivet and Blairfindy Castle (in connection with the Speyside Way) are being discussed.
8. DS explained the current situation regarding the Carrbridge asbestos path closure. Officers have carried out a series of investigations and the paths will remain closed until it is ascertained if the asbestos needs to be formally removed.

#### **Item 7 – Speyside Way Extension (Update from DS)**

9. The Speyside Way section from Aviemore to Kincaig is now complete. There have been a few issues regarding the gradient on the path and it was noted that the CNPA are responsible for maintaining the route.
10. Jamie Hepburn (Minister for Sport, Health Improvement and Mental Health) will formally open the new Speyside Way on 12<sup>th</sup> September and will also launch the Active Cairngorms Strategy.
11. Adam SS explained, in terms of taking the route forward, plans are to follow the path up to Ardgeal (to give the local community access) and it will pick up the 'Badenoch Way' as it goes into Insh and onto Drumguish. RO suggests that something could be put in place when the A9 dualling is being carried out alongside Kingussie.

#### **Item 8 – AOCB**

12. NC explained that Perth and Kinross Local Access Forum put a response to the latest A9 dualling consultation following various Forum meetings and the Council had forwarded it on. It was also noted that Planners are starting to put a lot of re-routes in for crossing the roads.

#### **Item 10 – Date of Next Meeting**

13. Tuesday 17<sup>th</sup> November 2015 at the Community Hall, Boat of Garten: 4.30pm – 7pm.