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## CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

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**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.

### Summary of access casework currently in hand

<b>YEAR</b>	<b>2015</b>
<b>Live cases</b>	22
<b>Closed cases</b>	4
<b>TOTAL</b>	<b>18</b>

### New Cases

New cases recorded since the last meeting are summarised below:

**Case 34 Coffin Road, Newtonmore :** Locked gate reported on former 'Coffin Road'. Issue investigated and found to be lawful given proximity of field to public road and being used for grazing livestock. Complainant informed.

**Case 35 Obstruction to Cattle Grid bypass, Glen Banchor, Newtonmore :** Locked gate reported to be prohibiting access around cattle grid on public road. Investigation showed gate was not locked and could be opened with difficulty. Although the gate was found to be dilapidated and no longer attached to hinges access rights were not being obstructed. Issue raised with Highland Council as responsible authority. Outcome reported to complainant.

### Cases Ongoing

**Case 22 – 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 current situation is being monitored to ensure the agreed position remains in place.

**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. Suspendive conditions are in place covering design and installation of interpretation which require to be finalised and approved by the CNPA. The situation is being closely monitored due to ongoing delays on behalf of the estate in respect of progressing towards construction of the new path.

### Closed Cases

**Case 24 – Baddoch Burn, nr Braemar :** Report that new moorland fencing was obstructing access rights. LOAF member has confirmed this to be incorrect. Case closed.

**Case 33 – former primary school, Aviemore :** fence installed so as to deliberately close off existing informal path through site – investigation has shown that health and safety considerations have precedence therefore closure deemed lawful. Position agreed with Community Council and case closed.

**30 July 2015**

**Douglas Stewart**

**Outdoor Access Officer**

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