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**CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM**

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**Title:** Outdoor Access Casework

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**Purpose:** This paper presents the statistics for the period from 1 April to date.

**Advice Sought**

This paper is for information so no advice is sought but Forum members are welcome to comment as they see fit.

**Live** cases (active) are presented at the top of the sheet; and cases that have been dealt with and **closed** so far at the bottom of the sheet.

<b>YEAR</b>	<b>2012-13</b>
<b>Live</b>	21
<b>Closed</b>	27
<b>TOTAL</b>	<b>48</b>

**Overall Impression**

There have been **eighteen** new cases reported to us in the last quarter since the last Local Outdoor Access Forum meeting in May, which is something of a record in terms of numbers! Fortunately most have been relatively small scale issues which have required advice or low key practical measures and as a result only **two** remain outstanding as live cases. The remaining **sixteen** have been closed.

**NEW CASES** (marked in a red box in Column B)

**Live**

**Cases 19 Kincaig** – a land manager raised concerns about pheasants being killed allegedly by a locally owned dog. Police have been looking into the matter and CNPA have given advice on signage, the Code and approaches to the owner of the dog involved.

**Case 21 Newtonmore** – it appears that access on this estate is still difficult for horses, despite new gates being provided last year. A site visit is pending.

**Closed**

**Cases 2 Aviemore** – the change of use of a piece of open ground to a horse field proved difficult for some local access takers. A simple solution was found which involved fencing off a path so that people could still get through and round the area.

**Case 5 Ballater** – vehicle gates in popular woodland had been locked during some forestry operations. They are now open again and side gates planned for installation in the future.

**Case 6 Ballater** – an estate local to the village had concerns about privacy areas of the estate house being breached due to people accessing along the driveways. A reasonable zone was mapped out with the estate and signage will be erected to advise people of the excluded areas.

**Case 7 Ballater** – a local resident raised concerns that a mountain biking event had caused serious erosion back in May. However a site visit revealed that water run-off from higher up on the hillside was having a severe impact (especially over the wet weekend that the bike event was run) and the land owner will be contacted with a view to suggesting the drainage is addressed. A collaborative approach to trail maintenance was suggested by CNPA to the complainant and bike interests in the village.

**Case 12 Donside** – this case was raised by a couple of local counsellors regarding access obstructions across a public road, the result of a dispute between two neighbouring farms. As non-motorised access is not impeded, there is little locus for CNPA but we have been actively giving advice.

**Cases 13 Donside** – a complainant was received by a member of the public regarding a locked deer gate onto the open hill. The gate is locked to prevent unauthorised vehicle access but a side gate will be installed in 2013.

**Case 15 Dulnain Bridge** – concern was raised that forestry operations were damaging core paths in a local wood. CNPA have assurances that the paths will be reinstated when the work is complete.

**Case 16 Glenmore** – a concern was raised about an ambiguous sign on a well-used bike and walking route directing cyclists to dismount. There was some communication with the estate over suitable signage and the sign was removed.

**Case 17 Grantown** – a concern from a resident was raised with the Estate about bike activity in a local woodland area. Bike trials had been created - some through evolved use but some through more significant ground modifications. The estate wanted an opportunity to communicate with local bikers to discourage unauthorised trail building although they are happy to have bikers in the woods. A successful meeting was held, information was posted on a local bike website and some reparation was undertaken.

**Case 18 Grantown** – this case concerns quad bike access on an old railway line. This is a matter outwith access rights so we have noted the issues but left it for the Police to address. CNPA have provided signage in the past.

**Case 19 Kirriemuir** – a complaint was received about blocked access around an estate on hill ground. A site visit revealed an alternative which was pointed out to the person involved.

**Case 21 Kincaig** – A question of vehicle access rights has been raised again across some public body ground. The position vis-a-vis vehicular rights is unclear and fall outwith CNPA remit – however as the route forms part of the Speyside Way extension, the CNPA have an interest in resolving it under that project.

**Case 22 Kincaig** – a case of highly irresponsible road side camping was reported at a Spey access point. The culprits were several fishermen who had left lines in the water, a burnt out fire ring and a very dirty camp. As it involved possibly illegal fishing and clearly wasn't wild camping, the Police and Estate dealt with the case.

**Case 24 Kingussie** – a complaint was received that an upgraded estate road was less attractive to cyclists. Whilst the initial result of the upgrade – which was permitted development – had resulted in more loose material on the surface, it was felt that the primary function of the track was vehicle access and the estates involved were within rights to improve it for this use.

**Case 25 Kingussie** – riders for a TREC horse event sought help for negotiating access through an estate for a long distance route. A meeting was held between parties and a route successfully identified and made available.

**Case 26 Nethybridge** – a local accommodation business sought advice on assigning a path diversion away from a new holiday cottage. Use of the path is very light and the alternative felt to be reasonable.

#### **Updated Cases – Closed**

**Case 8 Boat of Garten** - three new gates have been installed allowing multi-use access back into a woodland site

**Case 10 Braemar** – this case involved a complaint from a walker about a locked gate on the edge of the forest plantation. A site visit revealed an alternative and well used path alongside the woodland very close to the track. The estate has concerns about unlocking gates where deer might escape or unauthorised vehicle might get in. Given the scarce use of this track and the existence of another route, no further action is felt to be required by the land owner.

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