
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Outdoor Access Casework

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Purpose

To update the Forum on casework concerning upholding access rights and outdoor access casework.

GENERAL REVIEW OF ACCESS CASEWORK

This paper forms the review of outdoor access cases which are being dealt with by the Park Authority access staff. It is presented as a year-end programme with continuing live cases at the top of the spreadsheet and the closed cases at the bottom. The closed cases will **not** feature in future updates (unless they are reactivated and become live again).

The numbers of the cases (e.g. Case 1) relate to the first column (No.) of the attached spreadsheet (*Paper 1 Annex 1 March 2007 casework spreadsheet*). Column B refers to cases which are either New (N) or on which an Update (U) is available – details are covered in this paper. An indication of reporting sources (REC=recreational user; LAND=land manager) is also given along with status of case i.e. closed, live etc

STATUS

For the sake of simplicity cases have been described as either being **live** or **closed**.

Status	Number of issues
Live	49
Closed	55
TOTAL	104

There have been **eight new** issues reported since papers were prepared for the last Forum meeting, of which **five** remain as **live** issues.

NEW (N) CASES

Case 7 – This case concerns signage on a golf course. One of the participants at the Golf Managers' workshop has requested help in preparing signage regarding responsible dog walking over the course. Members of CNPA staff are currently assisting him in formulating appropriate wording. **LAND Case live**

Case 8 – This case concerns an application for a Section 11 order to exempt land from access rights for the duration of a large-scale festival to be held near to Aviemore in June, and is the subject matter of Paper 2. **LAND Case live**

Case 9 – This case concerns a locked deer gate into woodland. The woodland is sandwiched between the A9 and another trunk road, and these two linear features have interrupted some of the tracks within. The case has been afforded a low priority for action. **REC Case live**

Case 31- This case concerns year round no dogs' signage and a reduction in parking provision on a shooting estate on the north of the Park. Whilst access rights do not apply to vehicular access, the blocking of parking places off public roads is something that needs to be addressed. **REC Case live**

Case 36 – This case concerns non-Code compliant signage recently erected in an area of community woodland. We are confident that the matter will shortly be resolved by more appropriate signage having had a positive meeting with the woodland managers. **REC Case live**

Case 53 – unauthorised vehicle use was reported on publicly owned access land, with the effect of damaging cut ski trails. The land manager quickly identified the culprit and took the matter up with them. **REC Case closed**

Case 79 – a land manager requested advice regarding managing access in relation to other recreational activities. Signage wording was discussed and supplied and response to the signage will be monitored. **LAND Case closed**

Case 104 – similar to above a land manager sought advice regarding the behaviour of the public in relation to shooting activities and outdoor access. Subsequent to discussion further information was supplied. **LAND Case closed**

UPDATED (U) CASES

Case 5 – a planning condition was attached to planning consent, requiring the land manager to improve paths and signage. The land manager has now requested removal of the planning condition so the matter will return to the planning committee for further determination. **REC Case live**

Case 10 – further templates of the temporary standardised land management signs have been forwarded to the land manager with a request to have them in place, and private signs removed, in time for the bird breeding season at the end of March. The main complainant has been asked for details of further incidents relating to other users. **REC Case live**

Case 41 – the sign has been removed from the right of way and will be returned to ScotWays for modification. **REC Case live**

Case 46 – this issue is a long-standing query about the right of responsible access to water known for its importance for bird-life. Advice has now been received regarding the impact of access on the natural heritage and the Park Authority is continuing to liaise. **REC. Case live**

The figures in the tables below all relate to the live cases (total number 49) that remain at the year end 2006-07

SOURCE

This describes a combination of whom, and in what context the issue was raised initially. Issues are generally raised on behalf of *recreational users* and *land managers* – these are generally relayed to CNPA by individuals, and in a few cases issues may be raised simultaneously by both land managing interests and recreational interests. *Official* sources are those that are raised with us by representatives of organisations or agencies e.g. other local authority access staff, rangers and planners; Community Councils; the police; Scottish

Natural Heritage. Very occasionally issues are raised by members of the *public* that strictly speaking could not be ascribed to either of the two main categories.

SOURCE	NUMBER
Recreational	40
Land Management	4
Recreational and Land Management	1
Official	4
TOTAL	49

LOCATION

Below is a list of community council areas and the number of land management units i.e. farm, estate, golf course, development plot etc. in that community council areas that have been reported as having **live** access issues.

Community Council Area	Number of land management units with access issues
Aviemore	4
Ballater	5
Boat of Garten	3
Braemar	2
Carrbridge	2
Donside	1
Dulnain	1
Grantown	5
Inveravon	2
Kincraig	3
Kingussie	2
Kirkmichael and Tomintoul	0
Kirriemuir Landward East	0
Laggan	3
Mid Deeside	1
Nethybridge	1
Newtonmore	1

TYPES OF ISSUE

Issue Type	Number of cases
Obstructions (includes physical barriers such as gates, fences, stiles, ploughed fields, dangerous animals, cattle-grids)	27
Information (includes signs, leaflets, other written information)	14
Behaviour (includes confrontation, on the ground conflict reported by either land manager or recreational user)	1
Groups (includes organised events, activity)	1

groups e.g. DofE, congregational camping)	
Legal (includes rights of way, query over sections of the Act, planning, path agreements)	4
Privacy (queries about curtilage, reasonable privacy etc)	1
Water (any water based issues)	1
TOTAL NUMBER	49

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