



Gordon Woodlands Ltd
721 Shields Road
Pollokshields
Glasgow
G41 4PL

18 June 2008

Cairngorms National Park Authority
14 The Square
Grantown-on-Spey
PH26 3HG

Dear Sirs,

**DRAFT CORE PATHS PLAN
COMMENTS ON PROPOSALS**

Thank you for forwarding out a CD with your draft of proposals for inclusion in the Core Paths Plan within the Cairngorms National Park boundaries.

As you know, Gordon Woodlands Limited (GWL/the company) is the owner of Ben Newe Forest in which you make various proposals for Core Paths. In this letter, I will specifically refer to proposed path **UDO10**. Comments on the other proposed core paths are made in other letters of equal date with this one.

Proposed path UDO10 follows the route of an existing waymarked trail at the extreme West of Ben Newe Forest. This path was constructed and promoted by GWL in the mid-1990s as part of the company's voluntary commitment to encouraging appropriate and targeted access over its property.

Ben Newe Forest is a working forest from which GWL earns its income. As a result, all areas of this woodland will, in their own time, be planted, thinned, felled and re-planted, in accordance with the existing 20-year Forest Plan, approved by the Forestry Commission, the Government's forestry department, following the requisite periods of public consultation, both in the local community and on the public register. During these periods of economic activity GWL must reserve the right to close access that it has made available to the public – for the purposes of public health and safety, if for nothing else.

You will note that an area to the East of the proposed Core Path UDO10 has recently been felled. Another section, to the North-East, has been thinned. During the periods of heavy plant activity, public pedestrian access on the main internal forest road, which UDO10 makes partial use of, was unsafe. This was due to the route being used, firstly, as the access route by tree harvesting machinery and, secondly, by timber lorries for hauling produce to the public road.

In the approved Forest Plan for Ben Newe Forest, all compartments of the woodland through which proposed path UDO10 passes are scheduled for thinning within the

next few years – and with subsequent clear-felling in 10-15 years' time. This will require closure of the routes for varying periods of time on each occasion. Otherwise, GWL will be prevented from pursuing its legitimate business and would have to consider seeking compensation from the National Park Authority for loss of income from existing formally approved economic activities.

While GWL has shown its willingness to facilitate appropriate and targeted access by pedestrians through the construction, maintenance and promotion of this and other paths, this has been done on a purely voluntary basis. To have this and other routes formally identified in statutory documents increases the burden and expectations on the company beyond the level appropriate to privately-owned, income-generating property.

GWL has no intention of closing this route to the public – it has been available and promoted for in excess of a decade, after all! – but the potential for a future requirement on GWL to maintain such a path at its own expense is not something that the company wishes to concede.

GWL has not carried out any survey of usage of the trails waymarked through Ben Newe Forest. However, our awareness of the situation suggests that only limited use of this proposed path UDO10 takes place at the moment. Neither the sporting tenant on the property nor agents acting on behalf of GWL report interference from, or even evidence of, pedestrians. The company cannot see any reason why a path with such limited existing use after a decade's existence should be designated as a Core Path.

In summary, GWL objects to proposed path UDO10 on the following grounds:

- Health and safety of path users during periods of regular income-generating and landscape management activities.
- Relatively limited current use of the existing voluntarily-constructed and promoted path.
- A voluntary contribution to the community and tourists becoming a statutory obligation without acknowledgement of suitability or efforts of the landowner.
- Potential loss of income when appropriate and necessary forestry activities are not able to be undertaken.
- Dilution of the area's scenic splendour when appropriate and necessary landscape management activities cannot be carried out in the forest.
- Contradictory advice from different government authorities regarding the presence of paths through areas where significant felling is to take place: the National Park Authority requiring the paths to be kept (by inclusion in the Core Paths Plan) while the Forestry Commission requires their removal (as evidenced elsewhere in the Forest).

As a point of interest, it is noted that the proposed Core Path through Ben Newe Forest, identified in the Interim Draft Plan, that GWL was wholly in favour of has been dropped from the Final Draft Plan. Meanwhile, paths the company was not in favour of have been retained and an additional route has been proposed in the face of strong objections to the suggestion when informed by the National Park Authority.

It gives the appearance of the National Park Authority being more concerned about placating external commentators with no pecuniary interest in the property than it is in

working in partnership with the actual owners and managers of private, income-generating property.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Neil Gordon', with a long horizontal flourish extending to the right.

Neil Gordon
Chair
Gordon Woodlands Ltd

From: automailer@cairngorms.co.uk
Sent: 25 June 2008 22:35
To: Core Path Planning
Subject: Core Paths Planning Comments

Name: Graham McDonald

Address: 23 Albert Road

Ballater

Aberdeenshire

Postcode: AB35 5QL

Email: graham.mcdonald@aberdeenshire.gov.uk

Phone: 07770740131

Responding on behalf of: Braemar Mountain Rescue Association

1. Do you think that the proposed core paths network is sufficient to give people reasonable access throughout the area? Yes
2. Please state clearly and fully the grounds of your objection or support to the Draft Core Paths Plan: Braemar Mountain Rescue Association wish to object to the inclusion of paths CC1, CC2, CC3, CC4, CC5, CC6 & CC7 in the Core Paths Plan. Although these paths exist, and have done so for a long time, they go through some of the wildest, most sensitive land in the UK. Not only that, the area is sub arctic in character and experiences some of the most challenging weather to be experienced in any British Mountain environment. This last aspect means that the route presents some very significant Mountain Safety issues. The promotion of paths in this area is environmentally insensitive and potentially dangerous.
3. If objecting, please indicate what change(s) you are seeking to the Draft Core Paths Plan which could resolve your objection: Braemar MRA would like to see the removal of the above mentioned paths from the network. Any further advertisement is likely to lead to an increase in usage amongst ill prepared walkers and a disproportionate increase in accidents. Less experienced walkers should not be encouraged into this potentially hostile environment.

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From: automailer@cairnngorms.co.uk
Sent: 25 June 2008 17:46
To: Core Path Planning
Subject: Core Paths Planning Comments

Name: Ms Jenny Smith

Address: Dellachuper,

Corgarff

Strathdon

Postcode: AB36 8YP

Email: jenny@jenboth.go-plus.net, jenny@jennysbothy.co.uk

Phone: 019756-51449

Responding on behalf of:

1. Do you think that the proposed core paths network is sufficient to give people reasonable access throughout the area? No

2. Please state clearly and fully the grounds of your objection or support to the Draft Core Paths Plan:

I object to the Draft Core Path Plan on the grounds that it bypasses important parts of Corgarff and a connection with Ballater. As the current map stands, there are routes running north, south that come out near Braemar. Corgarff is a fragile and remote community and apart from the link into Inchroary, has been bypassed in the CNP consultations.

Historically there was SYHA in Ballater, Corgarff and Tomintoul and people used to walk between the three connecting areas staying overnight in all three places.

3. If objecting, please indicate what change(s) you are seeking to the Draft Core Paths Plan which could resolve your objection: Travelling south the Old Military Road, a public footpath, and its three bridges, joins the A939 for a few hundred yards and then on the left there is a track that goes upto the Old Peat Moss, an interesting place in itself as this is where folk used to cut peat.. From here there is a short walk to a track that traverses the side of Scraulac and goes south towards Glen Fenzie, connecting to a footpath to Glenfenzie. From here there are a variety of simple routes to Ballater. This would connect Ballater to Corgarff(offering overnight accommodation) and then on, through to Tomintoul and the Speyside way. Any footpaths build for this route would be minor in length. Ballater would be included in the Core Path access routes as would Corgarff, giving people a choice as to which town they come out at, Ballater or Braemar.

A walk via the River Gairn and Loch Builth would bypass Corgarff and businesses as well as the material assets of the Historic Environment, such as the Peat Moss, Castle, Three Bridges and more.

The path would encourage sensible and appreciative use of the landscape. Be a sustainable approach to economic and social development, reducing pollution, energy use, create a healthy population, connect and support the communities of Ballater, Corgarff and Tomintoul.

North, the route would connect to the Speyside way. South, there are plans for an 'East highland way' through Loch Muich to Ballater. Corgarff would be a part of this route.

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From: automailer@cairngorms.co.uk
Sent: 26 June 2008 11:09
To: Core Path Planning
Subject: Core Paths Planning Comments

Name: Mr Andrew Wells

Address: Glenlivet Estate Office, Main St. Tomintoul

Postcode: AB37 9EX

Email: andrew.wells@thecrownestate.co.uk

Phone: 01479 870070

Responding on behalf of: The Crown Estate

1. Do you think that the proposed core paths network is sufficient to give people reasonable access throughout the area? Yes
2. Please state clearly and fully the grounds of your objection or support to the Draft Core Paths Plan: 1. The Crown Estate supports the designation of the proposed core paths in the Glenlivet and Tomintoul areas, where they fall within the boundary of The Glenlivet Estate. The Crown Estate considers that the selection of routes on the Glenlivet Estate is more than sufficient to give people reasonable access throughout the area.
2. The Crown Estate would commend the Cairngorms National Park Authority on the process adopted for selection of core paths and the clarity of the information provided in the Core Paths Plan.
3. All the routes selected on the Glenlivet Estate contribute to the positive management of the CNP by providing managed access in an environmentally sensitive and working countryside. Through enjoyment of the countryside people develop greater awareness and understanding of the environment. These designated routes also encourage access along managed paths which can help minimise the impact of access on other land uses.
4. The Glenlivet path network identified in the CPP provides access for a wide range of activities and abilities.
5. The network provides links within and between communities and has termini at key locations for (limited) public transport.
6. The Crown Estate does not consider that there are any inconsistencies in the approach to the paths identified in the Tomintoul and Glenlivet area but would urge the CNPA to ensure that the CPP includes appropriate links with Core Paths immediately outside the CNP boundary. These include the following:

GT5 - Link from River Livet to Tombae public road

GT9 - Link from Bridge of Livet to Drumin Castle

GT24 - Speyside Way Tomintoul Spur. Livet bridge to Deskie Hill

GT5 -Link with Moray Proposed Core Paths through Glenfiddich Forest and Blackwater Forest. A link should be identified from Alanreid Car Park along the existing promoted path beside the River Livet (Glenlivet Estate Walk 3). The Crown Estate would support the inclusion of this link in the Moray Core Paths Plan. An alternative proposed link from Rhindu Farm to the River Livet across the Convene Moor (formerly GT3 in the interim draft CPP) crosses sensitive moorland and farmland habitat which is important for a variety of fragile bird species including black grouse. It is also an important grouse shooting area. The potential for land management difficulties arising in this area as a consequence of core path designation means that The Crown Estate would not support the designation of this route as a core path. It will however continue to be a promoted path, managed as part of the estate trail network. The Crown Estate considers that the suggested link alongside the bank of the River Livet (within the CNP) is sufficient to ensure coherence of the CP network and provides reasonable access to link with Proposed Core Paths outside the CNP boundary. The Crown Estate would be happy to provide further clarification regarding this link if required.

7. It should be further noted that the Glenlivet Estate waymarked trails identified as proposed core paths are not all suited to multiple use activities nor is it desirable to make them so. Several of the routes identified include local community walking paths where cycle or horse use would be inappropriate. The CNPA will need to be aware that in the designation and promotion of core paths, that clear differentiation is made between those promoted for multiple use and those suitable for a more limited range of activities.

The Crown Estate would like to further emphasise that it positively endorses the designation of core paths and the routes identified. The Crown Estate has been a leader in the development of multiple use access on its Glenlivet Estate and fully supported the inclusion of the estate in the CNP boundary, recognising the contribution that the estate access network makes to the aims of the National Park. However it would also like to highlight the fact that the Glenlivet countryside is an active, dynamic working environment and access is managed together with a wide range of other land uses. Under these circumstances there are occasions when access routes need to be modified or changed to accommodate changing land use patterns or for particular reasons associated with the operation of farming, forestry, sport shooting and other business activities. While changes to the existing routes are not currently anticipated and any modifications are only likely to be a minor alterations of the line of a promoted route, rather than significant diversions, The Crown Estate wishes to strongly emphasise the need for flexibility in the management of core paths, to accommodate legitimate and justified changes in land management operations.

While the Crown Estate does not wish to comment on the detail of the proposed Core Paths elsewhere within the CNP, we would commend the CNPA on the extent of the proposed network. However, it is apparent that while there are a number of nodes of local networks around the Park, these are not all linked together by a circular route around the Cairngorms. The presence of such a route which was developed and promoted as part of the Core Paths network could have significant benefits for the communities within the Park, including the Tomintoul and Glenlivet area and we would urge the CNPA and neighbouring access authorities to consider how such links might be created between local networks, either as part of the initial Core Paths designation process or as part of a future review.

3. If objecting, please indicate what change(s) you are seeking to the Draft Core Paths Plan which could resolve your objection:

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Form for supporting or objecting to the Draft Core Paths Plan

Please note that all responses will be made public and are not valid without a full name and postal address.

Please read the explanatory notes inside the front cover and in Section 4 (see page 12) of the Draft Core Paths Plan before completing this form and return it by **30 June 2008**. Please use this form to set out your objections to or comments in support of the draft Core Paths Plan quoting the path reference number where appropriate. Further copies of this form can be photocopied, obtained from the CNPA offices or printed from our web site where you can also complete it electronically.
www.cairngorms/access/corepaths

1. Your Details (*indicates a compulsory field.)

Title	MR	First Name*	EDWARD	Last Name*	HUMPHREY
Responding on behalf of:	DINNET & KINORD ESTATE (if applicable)				
Postal Address*	ESTATE OFFICE DINNET ADROYNE				
Postcode*	ADJ4 5LL	Telephone	01779885741		
Email	office@dinnet-estate.co.uk				

2. Do you think that the proposed core paths network is sufficient to give people reasonable access throughout the area?	Please tick one		
	Yes	<input checked="" type="checkbox"/>	No

3. Please state clearly and fully the grounds of your objection or support to the Draft Core Paths Plan, continuing on a separate sheet where necessary.

Objection to proposed path VDE 63 - see attached letter

Form for supporting or objecting to the Draft Core Paths Plan (continued)

4. If objecting, please indicate what change (s) you are seeking to the Draft Core Paths Plan which could resolve your objection, continuing on a separate sheet where necessary.

Removal of proposed path UDE 63

Signature

E. M. Murphy

Date

25.6.08

Please return your completed form to:

Cairngorms National Park Authority
FREEPOST NAT 21454
GRANTOWN-ON-SPEY
PH26 3BR

Forms should be returned no later than **30 June 2008**. After that date you will be contacted by a representative of the Cairngorms National Park Authority with regard to your objections.

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Reference:

3/50



Our Ref: ECMH/LD

25 June 2008

Mr M Ferguson
Cairngorms National Park Authority
14 The Square
Grantown on Spey
Moray
PH26 3HG



Dear Murray

**Draft Core Paths Plan
Final Public Consultation**

I refer to your letter of 1st April 2008 and as the consultation period is about to close I thought I should write to you with regard to path – UDE63 which as you know when we discussed the matter at the "COAT" launch in April is giving me serious concerns. Dinnet and Kinord Estate has an unrivalled position with regard to supporting public access with paths such as the Deeside Way from Aboyne to Cambus O' May, the Loch Kinord Circular Route, the all abilities path to Clarack loch and the many other paths in and around the Burn O' Vat area including the path up from the Vat through to the Forestry Commission woodlands at Cambus O' May.

I feel very strongly that if the proposed path (UDE63) goes ahead it will have a serious impact on our fishing enterprise as well as our farming operations and also as a question of privacy to our neighbours at The Old Manse, Mr and Mrs Simon Hicks.

I would like to reiterate the points that my factor Robin Leslie Melville made in his letter of 1st April as follows:

1. The estates let fishing enterprise will be severely impacted as not only is the proposed path taking access from where our anglers meet sometimes three times a day but it is also close to a main fishing hut and in the spring one of the main salmon angling pools on our beat. My clients spend a significant sum of money on their fishing and also in local hotels, shops and restaurants etc and I have no doubt that they would not like to see a formalised access point to the river at this location.
2. The creation of a formalised access point would give rise to further concerns with regard to livestock as part of Dinnet Farms operations.

3. You will be aware that the River Dee is a SAC to protect fresh water pearl mussels, Otters and Atlantic salmon. I am aware that fresh water pearl mussels are in evidence just down stream from Dinnet bridge and I would be grateful if you can confirm that an Appropriate Assessment of the status of the fresh water pearl mussels has been undertaken under the Natura Regulations 2000. Our anglers are reminded, particularly in low water, to look out for fresh water pearl mussels when wading and the same concern would be applicable to water borne craft.
4. As the access point is also a sandy bay I would have concerns as to the effect of silt movement into the river and affecting salmon spawning beds, as well as freshwater pearl mussels which are also located just down stream of Dinnet bridge.
5. While I fully recognise the requirement for canoes and kayaks etc to take access to the river I am extremely concerned that the proposal to formalise an entry point such as one at Dinnet bridge will have a severe negative impact on the estate and that other more suitable locations should be considered.
6. One further point that should be considered is the number of timber lorries that come over Dinnet bridge each day to and from James Jones sawmill at Burnroot and a possible conflict area between cars, trailers etc parked on the side of the road and timber lorries passing. I would also respectfully point out the question of privacy to Mr and Mrs Hicks who live at The Old Manse on the west side of the bridge and I would be grateful if you could confirm that you have written to them seeking their views on this proposal.

If you have any queries with regard to any of the above points please feel free to contact me as soon as possible but I would be grateful if you could register my complete objection to the proposal of path (UDE63) and that this path should be dropped from the core path plan.

I look forward to hearing from you.

Yours sincerely,



E C M Humphrey