

Alvie & Dalraddy Estates

Our ref: Core path Alvie response / JDAW

28 July, 2008

Cairngorms National Park Authority
FREEPOST NAT 21454
Grantown-on-Spey
PH26 3BR

Alvie Estate Office
Kincaig, Kingussie,
Inverness-shire,
Scotland, PH21 1NE

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Dear Sir or Madam:

Consultation on Core Path Plan

Details of Respondent

Dr. James D.A. Williamson responding on behalf of Alvie & Dalraddy Estates.

Alvie Estate Office, Kincaig, Kingussie, PH21 1NE telephone: 01540 651 255 email: jamie@alvie-estate.co.uk

Is the proposed core paths network sufficient to give reasonable access throughout the area?

There is currently no path for pedestrian access between Aviemore and Kincaig. The proposed core path shown (LBS1 on maps 2, 21 and 22) is along the river Spey which is not suitable for pedestrian traffic.

The public highways have replaced most of what were originally paths and tracks suitable for non motorised access between public places. Many of these public highways are no longer suitable for non motorised access. We believe more effort should be concentrated on ensuring that non motorised access is catered for between communities and public places. In places this could be achieved by a designated and maintained path alongside and within the curtilage of an adopted road.

Objection

LBS110 Invereshie House to Feshiebridge Path.

This is a claimed Right of Way based on the assumption that this is a path used for access over a period of many years. In fact the original path to Feshiebridge ran through the fields to the north of Invereshie House through ground that is now too wet for suitable access. (See Ordnance Survey map 1901 edition). Between Invereshie House and Feshiebridge parts of this original path may have been removed by the river.

In the 1980s one person decided to claim what he considered to be the original path as a Right of Way. As the original path was no longer in existence he endeavoured to claim that the path ran past the back of Invereshie House and within the curtilage of Invereshie House and outbuildings. A stock gate dividing Invereshie Farm from Invereshie House was repeatedly left open resulting in cattle gaining access to Invereshie house garden and golf course, often causing damage. When we eventually locked the gate the gate and padlock was repeatedly vandalised.

The gate is currently tied with string, the latch having been vandalised. Although we endeavour to prevent cattle gaining access to this gate when unattended, they still manage to gain access when this and other gates are left open. Repeated vandalism of this gate has become a major impediment to land management on Invereshie Farm.

Following repeated problems with disturbance through the outbuildings of Invereshie House a compromise path was marked out which takes the path as far away from Invereshie House and outbuildings as practical.



The track that goes past Invereshie Farm buildings is also part of the handling facilities for cattle. When it is being used for handling cattle it is not passable by other traffic.

The route LBS110 as shown on map 22 is therefore not suitable as a core path as it does not ensure that “... people can easily get around ... in a way that minimises the potential for conflict with people who manage the land.” (Cairngorms National Park Authority, Core Paths Plan Draft, page 13)

Following a meeting of the Kincaig & Vicinity Community Council on 11th April 2000, a representative of the Community Council approached Alvie Estate about the possibility of constructing a path between Kincaig shop and Loch Insh Watersports. A committee was set up under Helen Gillies, who was the Community Councillor tasked with investigating a possibility of further paths in the vicinity of Kincaig. Alvie & Dalraddy Estates participated in this committee along with the Paths Project Manager for the Cairngorms Partnership. The end result was agreement to construct what is now known as the Badenoch Way between Dalraddy Holiday Park and the RSPB car park at Insh Meadows. This route follows the public road between Kincaig Bridge and Loch Insh Watersports with a footpath constructed on land owned by Alvie Estate adjacent to the public road. This route has proved to be a popular and well used route and provides a far more practical alternative to the proposed path LB110 which has created so many problems to the land occupiers as a result of one or more vindictive and vexatious users.

More recently concern has been raised about routing the Badenoch Way through Loch Insh Watersports, particularly if the route is subsumed into the Speyside Way. The Cairngorms National Park Authority have discussed this perceived problem with Alvie Estate who have offered to consider a path on ground owned by Alvie Trust that would by-pass Loch Insh Watersports and allow the Speyside Way to link up with paths in the vicinity of Mile end on Forestry Commission land marked on map 22 and labelled LBS 140.

We suggest that the Badenoch Way should be marked as a core path between Kincaig Bridge and Loch Insh Watersports and LBS110 removed.

Objection

LBS1 – River Spey.

Although there is a right of navigation over much of this route, this was originally for floating logs down river. The route is not suitable for access both up and down river over most of its length.

The main economic use of the River Spey apart from water extraction is fishing. Fishing by rod and line is an important economic contributor to the area generating around £11.8 million per year into the local economy and money earned by fishing licences and fees is returned in the form of bank maintenance and employment of ghillies. In recent years the river has been increasingly used by canoeists and rafters who contribute to the local economy but not to the riparian occupiers. The end result has been a degradation of the fishing experience and resulted in less investment by the riparian occupiers. Whilst fishermen pay for their sport, canoeists and rafters have been given the right to use the same facilities at any time for free. Inevitably this will result in a reduction in private sector investment and an increasing dependence on the State to pay for the maintenance of the river and its facilities.

The State depends on tax from private sector economic activities to fund government investment. Extending rights to the public at the expense of or to the detriment of private sector economic activities is unsustainable in the longer term. Designating the River Spey as a core path will raise expectations of users together with responsibilities for safety. Overhanging branches and undermined vegetation that may be only a nuisance for those fishing, can prove lethal to passing canoeists. In the short term the government can pass the responsibility for maintenance to private sector riparian occupiers. In the longer term the cost of these responsibilities will exceed the income from fishing as fishing declines due to disturbance. The end result will be a collapse in private sector investment in riparian management.

The River Spey is not required for “...the purpose of giving the public reasonable access throughout their area.” (Land Reform (Scotland) Act 2003, part 1, chapter 5, section 17 (1)) It will only provide the perception of greater access by one or more sporting/recreational users at the expense of another.

Designating the River Spey will not ensure that “... people can easily get around ... in a way that minimises the potential for conflict with people who manage the land.” (Cairngorms National Park Authority, Core Paths Plan Draft, page 13)

Maintaining the River Spey as a safe route will be expensive to both manage and maintain. Its designation as an SAC will increase the potential conflict between access takers and SNH.

Objection

We do not believe the government has been responsible to task Local Authorities to designate core paths through private sector land without consideration for who will be responsible for these paths and who will fund their maintenance. The Core Path initiative has raised expectations without the means of delivery. It is not sufficient to assume that the land occupier will pay to take responsibility for and maintain a path on his or her land which in many circumstances will be a liability to the land occupier.

Yours sincerely,

Jamie Williamson
For Alvie & Dalraddy Estates

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*	ADAM	Last Name*	GORDON
Responding on behalf of:	ABOVE				(if applicable)
Postal Address*	MILTONBURN, PITYOULISH, AVIEMORE				
Postcode*	PH22 1RD	Telephone	01479 810214		
Email	adam@miltonburn.demon.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	No	<input checked="" type="checkbox"/>

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.

On enclosed sheet.

Refers to the core paths network on Map 20, BT of Garden, and map 28, core path GR6.

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.

The objection could be resolved by the inclusion of LBS 65 from the east end of the Spey Bridge at Boat of Garten, to the B970 crossing the Mullingarnoch Burn at the north end of Street of the Cardine; along the B970 to LBS 121.
Inclusion of LBS 65 from LBS 121 to the B970 at Auchgarnish, OS 938 159, sheet 36; 1:50,000.
From there, LBS 65 would run on the B970 to the bottom of the Shygau Pass, GR6, at 934 153, sheet 36. *an*

Signature	Adam Garden	Date	30:6:08
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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.

OFFICIAL USE ONLY

Reference:

3/77



Miltonburn
By Aviemore
Inverness-shire
PH22 1RD

Tel: 01479 810214

Email: adam@miltonburn.demon.co.uk

~~24707~~
30/6/08

Dear Sir,

I object to the Draft Core Paths Plan for the following reasons;

1. The omission of draft core path LBS 65 from the Draft Core Paths Plan leaves the communities of Street of Kincardine and Auchgourish totally cut off from the path network.
2. Path LBS 65 from Street of Kincardine to Auchgourish, opposite Kinchurdy Farm, provides an important link from Boat of Garten to the GR6, the Sluggan Pass to Glenmore. The Sluggan Pass is well used by walkers and cyclists, and the inclusion of path LBS 65 would provide an important off road alternative for walkers to the narrow and winding B970 road. This would encourage more people to visit Boat of Garten, via the historic Kincardine Kirk, with fine views along the way. From Boat of Garten people can return to Aviemore or Glenmore via the Speyside Way or the Strathspey Railway.

The track from Auchgourish to Street of Kincardine has been used by people for many years. It is hard and well made, and would not suffer from walkers using it. It is well set back from the river, and with some signage on the needs of fishermen, would encourage responsible access to this part of the river.

If LBS 65 is not included, it would be a very important missed opportunity to connect small local communities to the network, and to create an important link in the overall network of paths.

I would strongly argue that draft Path LBS 65 meets all the selection criteria for Core Paths, and should be put back as a Core Path in the Plan.

A. Garden.



ROTHIEMURCHUS ESTATE

Core Paths Plan Consultation – Environmental Report
The Cairngorms National Park Authority
14 The Square
Grantown-on-Spey
Moray PH26 3HG

30 June 2008

Dear Sirs

Core Paths Plan Objection

Further to the earlier on line objection attached I clarify the issues to be addressed as follows.

I object to the proposed core paths within the estate that pass through Natura 2000 sites.

This objection relates to proposed core paths that are located within the Rothiemurchus Estate and the Natura 2000 sites including North Rothiemurchus Pinewood SSSI, the Northern Corries SSSI and the Cairngorms SSSI. These paths are GR1, 2, 3, 4, 5 and CC3. It does not object to LBS29. There are two grounds for objection.

Firstly the draft plan is deficient on the grounds that there is at present insufficient clarity as regards the means by which CPNA will seek to assist owners with the integration of public access and land management operations which include forestry, farming- grazing of cattle and sheep and increasingly a wide range of types of recreation organised as part of the estate business.

Secondly environmental issues have not been adequately addressed in the plan. Specifically the paths listed above pass through, or are bound by, Natura 2000 Sites. Noting that the declared purpose of the network is to deliver wide social, economic and environmental benefits, it is not possible to draw any conclusions as to the likely environmental impact of the proposal without any mitigation measures having been identified for any of these paths or there being any long term binding agreement in place with the owner (with the exception of the Aviemore to Glenmore Off Road Route)

We look forward to working with the Authority to resolve this situation in a positive manner.

John Grant of Rothiemurchus

Rothiemurchus Estate Office, By Aviemore, Inverness-shire PH22 1QH.

Tel: Aviemore +44 (0) 1479 810858 Fax: +44 (0) 1479 811778
E-mail: info@rothie.net Web: www.rothiemurchus.net



INVESTOR IN PEOPLE

Johnnie Grant

From: corepathsplan@cairngorms.co.uk
Sent: 18 June 2008 20:18
To: Johnnie Grant
Subject: Email received : www.cairngorms.co.uk

Follow Up Flag: Follow up
Flag Status: Red

Thank you for submitting your comments on the draft Core Paths Plan. You will be contacted shortly with an acknowledgement and reference number. A copy of the form you submitted can be found below:

Name: John Grant

Address: Rothiemurchus Estate Office

AVIEMORE

Inverness-shire

Postcode: PH22 1QH

Email: johnnie.grant@rothie.net

Phone: 01479810647

Responding on behalf of: Rothiemurchus 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: Rothiemurchus Estate objects to the proposed core paths within the estate that pass through Natura 2000 sites. The grounds for the objections are two fold

1. The paths are insufficiently engineered for the proposed use as core paths. They are insufficiently robust and too narrow to be promoted as public paths as well as continuing to take the estate's use in the long term.

2. As agreed with the Cairngorms National Park Authority for the Aviemore to Glenmore off road route a high standard of maintenance is required in the Rothiemurchus Forest because of its unique nature and sensitivity. Maintenance of the paths identified in the core path plan in terms of litter clearance and resurfacing is currently carried out by the estate with proportionate public funding; currently that funding is neither sufficient nor automatic and there is no guarantee that it will continue for the period that the proposed core paths are in place. If no action is taken the result would be loss of amenity for customers and the owners of the estate as well as potential damage to Natura 2000 interests.

3. If objecting, please indicate what change(s) you are seeking to the Draft Core Paths Plan which could resolve your objection: This objection could be withdrawn given legal public commitment to improve the paths and associated works in terms of width, strength and surfacing and to ongoing maintenance according to the standards to which commitment has been made for the Aviemore to Glenmore route.

If you have any further queries please contact us at corepathsplan@cairngorms.co.uk or call us on 01479 873535.

- The Cairngorms National Park Authority.