



Professor Eric McVicar
[REDACTED]

Please ask for: Nicole Wallace

E-mail: [REDACTED]

Our Ref: ENQ290491

Date: 5 September 2019

By email to: [REDACTED]

Dear Professor McVicar

**West Highlands & Islands Amended Core Path Plan
LO08.01C Glenborrodale to Acharacle**

Thank you for your email to Stuart Black received 3 September 2019 regarding Candidate Core Path LO08.01C, I have been asked to respond on his behalf.

In response to the current public consultation on the West Highlands & Islands Amended Core Paths Plan, the proposals have been put forward after due consideration and representations from many quarters. They have been approved by both the Lochaber Local Access Forum and the Council's Lochaber Area Committee. The Access Officer for the area, Mr Donald Kennedy has had several discussions with the Estate's representatives, West Ardnamurchan Community Council and a number of individuals local to the area prior to including this route within the amended core path plan.

At present the mapping shows the route going through the general vicinity of the sheds but agreement has not been reached with the Estate as to what would be an acceptable way to circumvent the working area.

The track, which runs through what is now the area between the sheds, was open to public access before the main shed was built. In the planning application for the main shed it was stated by the applicant, Ardnamurchan Estate, that the development would not affect general access rights so it is the Council's view that the estate has an obligation to provide a safe way for the public through this area. The Access Officer has suggested a fenced corridor on the western periphery of the site, between the west side of the smaller sheds and the river. He has also suggested a fenced corridor along the southern periphery of the site joining a track that soon merges with the proposed route to the north. The Estate has so far not accepted either of these proposals. At present the Council are indicating the route as running through the general area of the sheds as this is where access rights applied before the main shed was constructed. We accept this is not the most favourable line to take but until the Estate agree to an acceptable alternative this is the line that is proposed based on historical use.

Director of Development & Infrastructure: J Stuart Black, MA (Hons), PhD
[REDACTED]

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You are right to suggest that there are other access routes into the hills behind Glenborrodale but the most reasonable alternatives to link with Acharacle, all had locked gates of deer fence height on them at the time of Mr Kennedy's last site visit in July of this year.

I trust that you can now appreciate that the situation is not quite as simple as you may have first thought and that the Council is serious in attempting to fulfil its statutory duty to uphold access rights. However, we are also prepared to negotiate a reasonable compromise that would benefit both the landowner and the public.

I trust this information is helpful.

Yours sincerely



Nicole Wallace
Acting Head of Planning and Environment



Mr D Houston



Please ask for Donald Kennedy

Direct dial:



E-mail:

Our Ref:

WHICPP.LO08.01C

Your Ref:

Date: 10th July 2019

Dear Mr Houston

THE HIGHLAND COUNCIL AMENDED CORE PATHS PLAN (WEST HIGHLAND AND ISLANDS)

The Highland Council has reviewed the core paths plan that covers the West Highland and Islands area (Skye & Lochalsh, Lochaber and Wester Ross) with suggestions made by communities, landowners, agencies and individuals.

Following the review we are proposing several changes which will be published as The Highland Council Core Paths Plan (West Highlands and Islands) Amended.

The purpose of this letter is to let you know that new core paths have been proposed on land that you may have an interest in, where to find those proposals and how to comment on them.

The proposed, or "candidate" core paths that may affect you are listed below.

Path Ref.	Map Ref.	Path name	Length (kms)
LO08.01C	LO08	Arivegaig to Glenborrodale/Laga	13.2

If you would like to see the proposals or to comment on any of them you can do so through the Council's consultation portal here <http://consult.highland.gov.uk> . We ask that you make any comments by Friday 18th October 2019.

The amended core path plan shows the proposed route in it's entirety. Enclosed is a larger scale map of part of the proposed core path showing in clearer detail the route we believe to be within your ownership and possibly of immediate neighbouring landowners .

The existing Highland Council Core Paths Plan can be found online here www.highland.gov.uk/corepathplans (click on Path in the Highlands). There is also an interactive map which can be found here. If you wish to see paper copies of the relevant section of the plan then please contact the Access Officer by email above or address below.

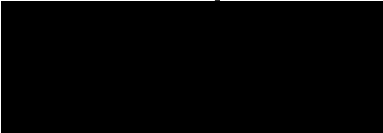
Director of Development & Infrastructure: I Stuart Black, MA (Hons), PhD



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We will accept objections and representations on the proposed changes only. As you can see from the table above each change has a unique reference and name so when you are making a representation please use either the reference or name.

Yours sincerely,



Donald Kennedy
Access Officer – Skye, Lochalsh and West Lochaber



Appendix 1

Core paths do not provide the public with increased access rights upon land where such rights already exist and the exercise of recreational access rights on core paths should be done responsibly as set out in the guidance of the Scottish Outdoor Access Code. Land on which there is a core path varies from other land by the following points:

- Where access rights are not exercisable, as set out by the provisions of Section 6 of the Land Reform (Scotland) Act 2003 (LR(S)A 2003), these provisions do not prevent or restrict the exercise of access rights over any land which is a core path. So core paths may pass close by or on land that is a dwelling, building, school, garden, sports field, building site, quarry or fields of sown crops.
- Where land that is a core path is disturbed in the interest of good husbandry by being ploughed or otherwise disturbed, the owner of the land being a core path shall within 14 days (or longer with agreement of Access Authority) reinstate the path.
- A core path is designated a footpath with regards provisions set out in section 208 of the Town and Country Planning (Scotland) Act 1997. A path order will be required where a development proposal requires a core path to be stopped up or diverted to allow the development to take place.

Director of Development & Infrastructure: I Stuart Black, MA (Hons), PhD



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Land being a core path provides The Highland Council with a number of powers which it may exercise without the consent of the land owner/occupier, though in most cases it will seek advice from the owner/occupier before carrying out such powers:

- Section 19 of the LR(S)A 2003 provides the Access Authority with the power to do anything they consider appropriate to maintain a core path, keep a core path free from obstruction or encroachment and provide the public with directions on a core path.
- The Access Authority will publish the core paths plans. They have to make available core path plans, at reasonable cost, for sale to the public.

Access rights can be exempted from land which is a core path by order as provided by Section 11 of the LR(S)A2003.

The extent of the duty of care owed by a occupier of land to another person present on the land is not affected by the presence of access rights exercisable by the public on that land [Section 5(2) LR(S)A 2003. As such the duty of care of an occupier to persons on a core path is the same as the duty of care that the occupier has to persons on land that is not a core path.

There is no duty within the LR(S)A 2003 for the council or the owner/ occupier to maintain a core path or other land, only to keep it free from obstruction.

A landowner occupier does not require a permit or permission to carry out works on the maintenance or improvement of a core path. However the Access Authority should be informed regarding management of public access including signs, during the works.

It is unlikely that a designation of a core path on its own will significantly increase user numbers on to a particular route. Any path proposed as a core paths will likely be already be well known and used locally.

**Glenborrodale Proposed Core Path Access
through working site**



Highland Council are attempting to impose a Core Path from Glenborrodale to Arivegaig. At the Glenborrodale end of the proposed Core Path they are proposing that it goes along a hill road that was only built 8 years ago for heavy vehicles and therefore has no historical use, goes through the middle of a working farm and timber yard and passes directly past residential properties.

Passing through working areas where there are regular large lorries transporting timber along with tractors, wood chippers, tankers, tele-handlers and fork lifts is dangerous to any members of the public taking access and to those that work there. In so doing they are putting in jeopardy the continued operations on the site and thereby putting the jobs of everyone that works there at risk.

In addition there is no parking for vehicles other than in passing places along the main road and increased usage will inevitably result in significant inconvenience to traffic using the B8007.

There are a number of alternative routes which Highland have refused to consider because they are on tracks and not along "made up" roads.

PETITION

Glenborrodale Cover page

We the undersigned support the right of everyone to take informal and responsible access to anywhere in Ardnamurchan in accordance with the Land Reform (Scotland) Act but **OBJECT** to the imposition of a Core Path where it goes through working areas such as farm or timber yards or through areas where it passes immediately adjacent to private residential properties.

We object on the grounds of; safety to both the workers and the general public in those areas, the safeguarding of jobs, and the privacy of residents.

In addition to signing this petition, you are encouraged to write directly to: The Director of Development and Infrastructure, Highland Council, Glenurquhart Road, Inverness, IV3 5NX, Quoting Reference Number L008.01C before Friday 18 October 2019.

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
TOBY LEE	[REDACTED]	[Signature]	✓	✓	
GAVIN BARKS		[Signature]	✓		
HELEN LEE		[Signature]	✓	✓	
J. Mumhead		[Signature]	✓	✓	

Highland Council are attempting to impose a Core Path from Glenborrodale to Arivegaig. At the Glenborrodale end of the proposed Core Path they are proposing that it goes along a hill road that was only built 8 years ago for heavy vehicles and therefore has no historical use, goes through the middle of a working farm and timber yard and passes directly past residential properties.

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Shelley Coyne 2019

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Name	Address	Signature and Date.	Relationship to area		
			Live here	Work here	Visitor
Gordon MacKENZIE			✓	✓	
SCOTT STEWART			✓	✓	
Louis MacKENZIE			✓	✓	
ALASDAIR FISHEN			✓	✓	

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
Shelley Hoggarth	[REDACTED]	[REDACTED]	✓	✓	

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Mandatory Cover page

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
IAIN MACPHAIL	[REDACTED]	[REDACTED]	✓	✓	
JACK AVNI			✓	✓	
INNES FERGUSON			✓	✓	
D. LOVE					✓

Core Path Objection Petition
Mingary Page 1

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
A → CAMERON			✓	✓	
C Cameron			✓	✓	
A. ELSON/HORSS			✓	✓	
L. MARSHALL			✓	✓	
W KELLY			✓	✓	
Colin McAlpine			✓	✓	
Calum MacPhail			✓	✓	
David Harris			✓	✓	
Sam McInnes			✓	✓	
J. FRANKLIN			✓	✓	
J. KELLY			✓	✓	
L. Houston			✓	✓	
L. Huwank					✓
A. HU MONT					✓
R. CARMICHAEL				✓	
Dennis Ross			✓	✓	
<i>[Signature]</i>				✓	✓
<i>[Signature]</i>					✓

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We the undersigned ~~support~~ the right of everyone to take Informal and responsible access to anywhere in Ardnamurchan in accordance with the Land Reform (Scotland) Act but **OBJECT** to the imposition of a Core Path where it goes through working areas such as farm or timber yards or through areas where it ~~passes~~ immediately adjacent to private residential properties.

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
John Mac Farlane	[REDACTED]	[Signature]	✓	✓	
MORAG DOHERTY		[Signature]	✓	✓	
DAVID DOHERTY		[Signature]	✓	✓	
[Signature]		[Signature]	✓		

Core Path Objection Petition
Ferry Stores Page 1

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
C SPREADSBURY					✓
C BURNS					✓
S. Poulson- Eveline					✓
TERRY EARP			✓		
M J KREN			✓		
Susan Cameron			✓		
Duncan Cameron			✓		
J. Chapple.			✓		
D. Ann.			✓	✓	
H Loggison			✓	✓	
Catharina Mombasa			✓	✓	
Lynda Meek			✓	✓	
W.F. Wloch			✓	✓	
Blayne Cameron G. Cameron			✓	✓	
Sharon Macleachlan			✓	✓	
Stuart Machachlan			✓	✓	
Kindy Macbray			✓	✓	
Joan Mackay			✓	✓	

Core Path Objection Petition
Ferry Stores Page 2

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
Sue Cheadle			✓		
STAN CHEADLE			✓		
H Mankhlan			✓		
K. CAMERON			✓		
Isla Crosbie			✓		
Edie Crosbie			✓		
AKAN SWANN			✓		
EWAN BOWMAN			✓		
Lilla Jee			✓		
Gemma Lester					✓
HAIN DUCKHOETA				✓	
Jac Crosbie				✓	
GRETHERA				✓	
J. J. S.				✓	
WENDY MACFADYEN				✓	
SIA PAME				✓	✓
C. Gou				✓	

Core Path Objection Petition
Ferry Stores Page 3

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
Shona Stewart			✓	✓	
Alister DJF			✓		
HAIVEN LEE			✓	✓	
Toby Lee			✓	✓	
FIONA LOVE			✓	✓	
A KINGHORN			-	-	
C. COOK			✓		
M MACLACHLAN			✓		
A MACLACHLAN			✓		
G M'NORMAN					✓
C FINDLAY					✓
E. Booth					✓
J. SHARMAN					✓
C SHARMAN					✓
AH McLeod			✓		
R A GORE				✓	
CODDUMEN		✓			

Core Path Objection Petition

Ferry Stores Page 4

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
V Phyllis			✓		
M. McNicol					✓
P. Lage					✓
G Murray			✓		
D. Rossin					✓
D. Rossin					✓
Tim Arnold					✓
A Allard			✓		
N. CARTER					✓
S. CAMERON					✓
b. mac Leckler			✓		
A MacLeckler			✓		
Mark MacLeaster			✓		
KATHRYN CUNNINGHAM			✓		
James Campbell					✓
Georgina Yates					✓
TOBY HAIN			✓		

Highland Council are attempting to impose a Core Path from Glenborrodale to Arivegaig. At the Glenborrodale end of the proposed Core Path they are proposing that it goes along a hill road that was only built 8 years ago for heavy vehicles and therefore has no historical use, goes through the middle of a working farm and timber yard and passes directly past residential properties.

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There are a number of alternative routes which Highland have refused to consider because they are on tracks and not along "made up" roads.

PETITION

Trich Shield Garage Cover page

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
DOUG MAC DONALD			✓		
ALEX THOMSON			✓		
MATILDA CORFIELD					✓
BEN HUMAN					✓

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5 Glen Shop cover page

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
IAN MALCOLMSON			✓	✓	
Fay Rowan tree			✓	✓	
Nail Rowan tree			✓	✓	
Kirstyn Rowan tree			✓	✓	

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
AMIE MACMURDO			✓	✓	
Helen Stewart			✓	✓	
Louisa Stewart Howie					✓
GIGINA BAKER					✓

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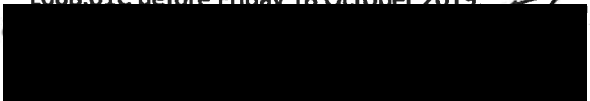
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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
Ross Rankin	[Redacted]	[Redacted]	✓		
MELLY LUTU		[Redacted]	✓		
DR ANTONY KISS		[Redacted]	✓		
Gábor Kocsánka		[Redacted]	[Redacted]	✓	

Core Path Objection Petition
Michon Hotel Page 1

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
ALEXANDRU ZUPU			✓		
ALEXANDER GRANT			✓		
MARY McALPINE			✓		
BILL McALPINE			✓		
CINTIA GAL			✓		
Schwign			08/19		✓
John Watson					✓
Marc MacMaster			✓		
JOHANNA GAL			✓		
Rosie (Curtis)			✓		
Allan CURTIS			✓		
Chloe Curtis			✓		
MEAN CURTIS			✓		
PETER GRACE			✓		
TIM CURTIS			✓		
LOUIS meckinnon			✓	✓	
JORDAN CAMERON			✓		
IAIN MACDONALD			✓		

Core Path Objection Petition
Kilchoan Hotel Page 2

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
Nathan Bridgoad					✓
MARTIN WYNNE					✓
Joel Edgington					✓
Amy Tinsley					✓
Ryan Cooper					✓
Arthur Knaulder					✓
Pauline Joyce Mack					✓
THIS IS BOLLOCKS					
Re-route the footpath					
at Houston's Expense!					
K. MEWS					✓
A Mews					✓
Andrew Pote					✓
GIAEL CAMERON			✓		
ALBERT CAMERON			✓		
D. MARSHALL			✓		✓
Charles Franklin					✓

Highland Council are attempting to impose a Core Path from Glenborrodale to Arivegaig. At the Glenborrodale end of the proposed Core Path they are proposing that it goes along a hill road that was only built 8 years ago for heavy vehicles and therefore has no historical use, goes through the middle of a working farm and timber yard and passes directly past residential properties.

Passing through working areas where there are regular large lorries transporting timber along with tractors, wood chippers, tankers, tele-handlers and fork lifts is dangerous to any members of the public taking access and to those that work there. In so doing they are putting in jeopardy the continued operations on the site and thereby putting the jobs of everyone that works there at risk.

In addition there is no parking for vehicles other than in passing places along the main road and increased usage will inevitably result in significant inconvenience to traffic using the B8007.

There are a number of alternative routes which Highland have refused to consider because they are on tracks and not along "made up" roads.


PETITION

Strontian Cover page

We the undersigned support the right of everyone to take informal and responsible access to anywhere in Ardnamurchan in accordance with the Land Reform (Scotland) Act but **OBJECT** to the imposition of a Core Path where it goes through working areas such as farm or timber yards or through areas where it passes immediately adjacent to private residential properties.

We object on the grounds of; safety to both the workers and the general public in those areas, the safeguarding of jobs, and the privacy of residents.

In addition to signing this petition, you are encouraged to write directly to: The Director of Development and Infrastructure, Highland Council, Glenurquhart Road, Inverness, IV3 5NX, Quoting Reference Number L008.01C before Friday 18 October 2019.

Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
STEVEN THOMPSONS	[REDACTED]		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
JAKE HOLLAND			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
BEN DIRLEY			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
MAX BRADLEY			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

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Name	Address	Signature and Date	Relationship to area		
			Live here	Work here	Visitor
DF McVicar			✓		
A. D. Hixson			✓		
Jean Ritchie			✓		

----- Forwarded Message -----

Subject:Core path, Glenborrodale. Ref. L008.01C

Date:Tue, 3 Sep 2019 16:33:12 +0100

From:Eric McVicar [REDACTED]

Reply-To: [REDACTED]

To: [REDACTED]

Dear Sir

I have lived in Ardnamurchan since the 1990's and have had the freedom to both walk and fish on the hills thereof. However I find it somewhat incredulous that the Highland Council would even contemplate putting a path through what is essentially an industrial complex. For many years I worked in heavy construction, at one time as a Senior Engineer at McDermott's yard at Ardersier. During those years I was only too aware of the dangers associated with heavy mobile plant, which is what one would term the machinery found within the area through which this proposed path is projected to take. Teleporters, tractors with chipping machines, large articulated trucks laden with timber can all be classified as lethal weapons. If, as proposed, a core patch were to pass through this area this would enable both adults and children, no doubt in some cases accompanied by dogs, to have access to the dangers associated with these machines. All it would take is for a child or dog to run round the side of a building and into the path of one of these machines with the inevitable disastrous outcome. If this did happen one must question who would be held responsible, surely not the driver nor the proprietor of the site. The only person who could be blamed would be Highland Council for allowing such an insane project to have gone ahead in the first place.

Do we need to wait until we have an accident of such a nature or do we do what any responsible adult would do in the first place, that is avoid having a path through an Industrial Complex.

If this Complex were sited in say the central belt it would not only be locked during non-working hours but would probably have razor wire or barbed wire above a mesh fence and alsatian dogs patrolling the site at night.

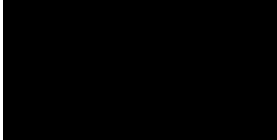
When I initially came to live in Ardnamurchan the gate through this path was permanently locked with three padlocks, these belonged to Major Ian Elliott, proprietor of Silverhills Estate, Donald Houston, proprietor of Ardnamurchan Estate and the third was I think the Forestry Commission. The reason for this was there were buildings beyond the gate which were regarded then as a working farm. It is only in recent years, since the death of Major Elliott and Donald Houston purchasing Silverhills, that the gate had been left open. This was mainly to enable development work to take place at what is now the Industrial Complex. There are many other routes of access to the hills behind Glenborrodale, for anyone to declare that this is an essential route or for that matter an established route (as Donald Houston has only improved these tracks within the past few years for Estate management purposes) is utter nonsense. Hopefully, the Highland Council will see sense and avert any potentially fatal accidents, whether they be animal

or human, by taking their core path elsewhere on the Estate.

I trust that sanity will prevail within the Highland Council.

Regards

Prof. Eric McVicar



Scanned by [McAfee](#) and confirmed virus-free.

From: The Ardnamurchan Bunkhouse [REDACTED]
Sent: 01 October 2019 14:52
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Candidate (Proposed) Core Path- LO08.01C - Arivegaig to Glenborrodale/Laga

Dear Ms Wallace

With regards to your consultation on the proposed core path between Arivegaig to Glenborrodale/Laga, I write to register my concerns and disappointment at how this proposal has been handled and in the way in which Highland Council has dealt with its statutory responsibility.

As a resident of Glenborrodale and a local business owner, staying a short distance from the proposed route, I am completely astounded that during the discussions, there has been no direct communication between the 2 business I operate and anyone representing the concerned parties or Highland Council. Historically, my family have strong connections to the area with members of my family being housekeepers in Glenborrodale Castle and a former head keeper on Ardnamurchan Estate, so I am fully aware that some of the representations made about the proposed route are wholly inaccurate and are driven by political angst and do little to support the socio-economic prosperity of a fragile local community. To many of the migrants into this community, this has become a location in which they seek to enjoy their retirement (or semi-retirement) and as is common, they seek to arrest progress and prosperity at the point of their arrival.

It is my opinion that this is a further example of the increasing divide between urban and rural Scotland where increasingly an urban population (or people who have moved from an urban environment) seek to force their will on the minority indigenous community and call it democracy. There are ample and adequate access points from the south to the north side of the peninsula and contrary to opinions you have taken into account, the most commonly used route was from Laga to Acharacle and the form, condition and structure of the path confirms this as Laga to Acharacle route is capable of carrying cart and cattle whereas the route of this proposed path between Glenborrodale and Meall an Each is for the majority of its route a stalking pony path. This path has fallen into disrepair, barely passable with care and wholly inadequate for mountain bikes.

Throughout this entire process, little cognisance has been taken of the Ardnamurchan Estate or its proprietor who has made an exceptional commitment to this rural community, far exceeding any of the efforts made by Government or Highland Council to support socio-economic development or to meet commitments under the local biodiversity action plan. To make continuous reference about locked access in woodland blocks whilst ignoring the failure of much of the Sunart Oakwood project is frankly embarrassing to the agencies involved.

I operate the only locally based terrestrial wildlife tourism company on the peninsula and each year organise at least 3 months of residential wildlife trips. This is only possible by the support we enjoy from the Ardnamurchan Estate owner, Donald Houston who not only allows us unrestricted access but is supporting the development of wildlife watching opportunities. At no time in the discussions has proper consideration been given to the impact on our native birds and mammals by the proposals, many of the species are shy and certainly do not benefit from repeated disturbance. There have already been several incidents where uncontrolled dogs have threatened these mammals/birds and gates have been left wide open, hence the necessity to lock them. I hope that a wildlife survey has been completed along this route as I know that there is a pair of Hen Harriers who nest along this route and disturbance can jeopardise their breeding success.

I have noted since opening the bunkhouse 4 years ago, footfall from locals as well as people from out with the area using this proposed path has been minimal to say the least. However, since this whole sorry saga commenced, we have noticed an unpleasant attitude from individuals and a change in atmosphere around our business. Our grounds are not enclosed which gives mammals free range of our meadow areas that people have travelled far and wide to see. We have placed wildlife cameras around the bunkhouse to monitor the mammals and birds including the Scottish Wildcat and have found that cameras have been removed and individuals take access into our grounds to park vehicles, have picnics, use our facilities and leave waste around the property. On some occasions, we have witnessed dogs chase our free range chickens or off leads and not under the control of their owners.

I am aware that many of these things are illegal and are highlighted as such under the access code but I do not seek conflict within the local community and seek to deal with those taking access in the spirit under which this legislation was constructed. The fact that the Estate offers unrestricted access in all but 10 acres of its thousands of acres it currently manages is clear evidence of its reasonable approach.

I reside less than 300 metres from the wood chip yard and fully understand why it is necessary for access to be restricted when moving heavy plant and machinery in the area whilst fully applauding the huge effort to move this community towards a self-sustaining, green energy system which meets many of the talked about Governments' green energy targets to say nothing about the local jobs that have been created for local people. I know many of the local residents who inform me that the gate was always locked, one of which has been resident in Glenborrodale for over 50 years who's family ran the local hotel for many years. Also, my husband who is the former Chief Ranger for the Forestry Commission can confirm that during his time in the role, FC was one of the key holders to the locked gate.


I do hope that you consider the points raised above in your decision making process and that your access officer has fully appraised himself with the situation and when considering appropriate alternatives routes has fully considered the environmental and socio-economic impacts of such decisions and would hope to see those referred to along with any proposed mitigation and funding proposals.

I look forward to your response.

Yours sincerely

Fay Rowantree

Fay Rowantree



**PAPER FOR ARDNAMURCHAN ESTATE MAINTAINING ITS OBJECTION LODGED
ON 17 OCTOBER 2019 TO THE CORE PATHS PLAN REVIEW**

1. What does the Estate object to? The Estate objects only to part of the LO08.01C proposal, in particular the southern part of the western fork on the proposal map. The Estate welcomes walkers and public access is available to some 99.9% of the land under its management.

2. Why does the Estate object? This part of the proposed core path would pass through a working timber processing yard where plant and equipment are in regular use and lorries, trailers, wood-chippers and other commercial vehicles are often manoeuvring: see the photos attached to the Objection. The yard has operated for over 30 years, and has been expanded under planning permissions granted by the Council between 2010 and 2017. Experience shows that the Council would create very real risks to the health and safety of walkers if it adopted and publicised such a route. It isn't possible safely to accommodate walkers in the timber processing yard - a point previously acknowledged by the Council's Access Officer. If this part of route LO08.01C was confirmed, it seems inevitable that the timber processing yard would need to close, causing the loss of at least five jobs. Timber operations there produce fuel for some 36 properties in the local area. The yard also supplies wood fuel to the Ardnamurchan Distillery. It also takes pot ale from the distillery and processes it into animal feed for livestock throughout the area. The distillery also sends draff and spent lees to the yard, which processes these for animal feed or safe discharge into reed beds. Fragile businesses and communities in the Ardnamurchan peninsula therefore depend on the yard and its workers.

4. What does the local community think? A lot of local people work at the yard or at the distillery or benefit from the fuel made at the yard. Some 200 local people signed the petition sent in with the Objection last year. The proposal does not have the support of many locals.

4. Are there other options? Yes. A core path could avoid the yard by starting slightly to the west at the RSPB's reserve. There is another possible route to the east. These have been discussed with the Council's officers and the Estate is keen to help find a good route in due course.

5. What does the law and guidance say? When proposing core paths, the Council has to consider (i) the likelihood that people exercising access rights will do

so by using core paths; (ii) the desirability of encouraging people to use core paths; and (iii) the need to balance the exercise of access rights and the interests of the owner of the land (s17(3) of the Land Reform (Scotland) Act 2003). Its proposals should “assist the interests of sound land management (including diversification and local enterprise) without compromising accessibility” (page 44 of government guidance). The problem with a core path passing through a busy commercial yard is that the Council would in effect be encouraging people to pass through dangerous commercial and industrial premises. The proposal fails to strike the right balance between the exercise of access rights and the needs of business - especially where there are alternatives to be used instead. There are in any event no access rights through the yard at the moment because the Act excludes access rights from land which “forms a compound or other enclosure” containing any “building or other structure or works, plant or fixed machinery” - in this case, the yard. The Estate has taken Senior Counsel’s advice on these issues.

6. What should the committee do? It is suggested that the committee should approve only the more easterly fork in the proposed new core path, and delete the western fork. That would ensure the new core path plan can be adopted soon and put into effect. Discussions about the options for any future route further west can be continued without interfering with the wider core paths plan.

7. What happens if the committee approves the current proposal including the route through the yard? Because of the impact that route would have on the yard and the local people, the Estate would have to maintain its objection, and the Scottish Ministers will have to hold a local inquiry into whether the plan will, if adopted, fulfil the purpose of giving the public reasonable access through the area: s20A(5) of the Act. The Council couldn’t adopt the new core plan unless and until Ministers direct them to do so after the local inquiry: s20A(3). Ministers’ decision could then be challenged in the Court of Session.







The Estate thanks the committee for the opportunity to contribute to their discussion.

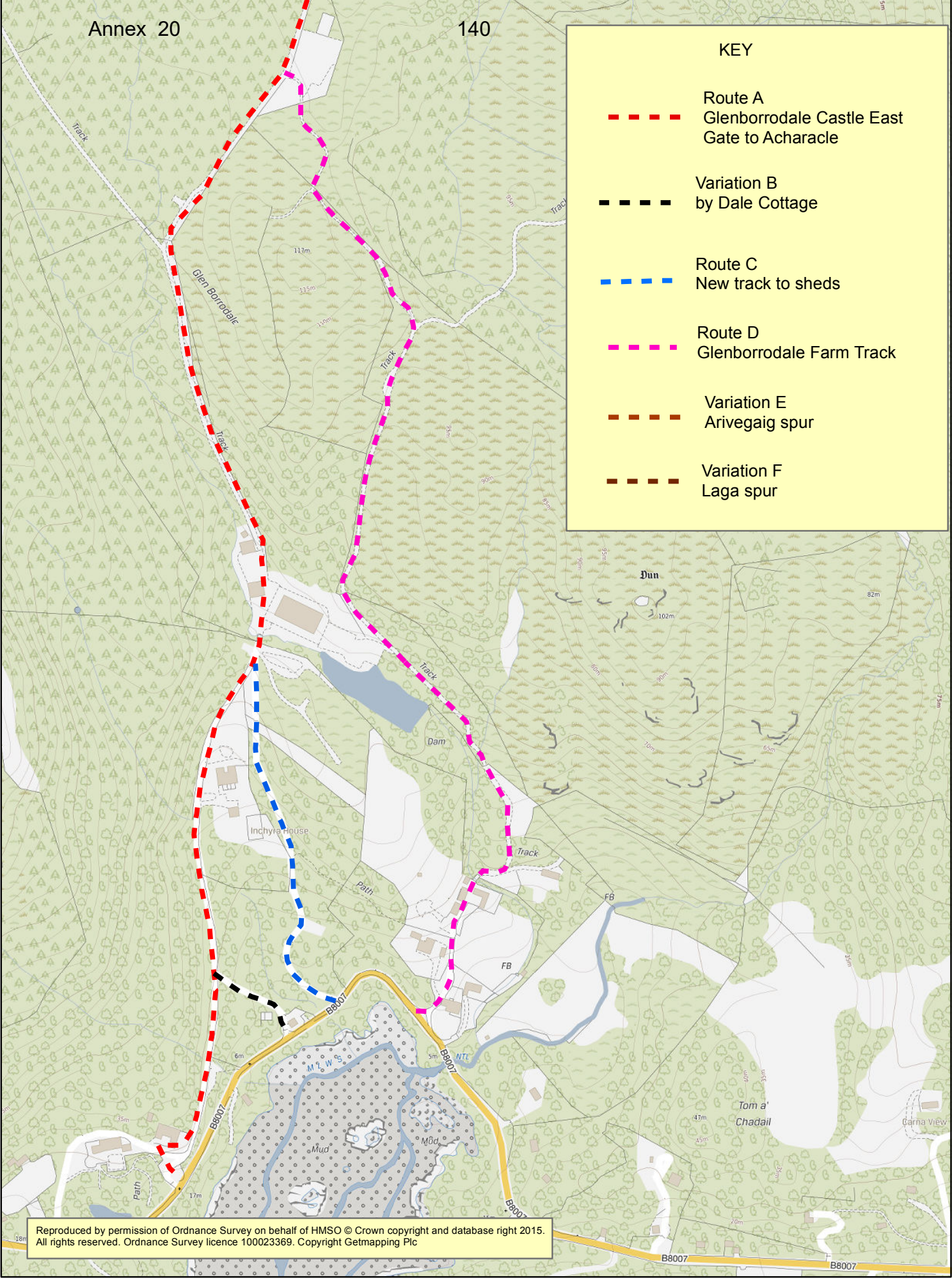
7 September 2020

Annex 20

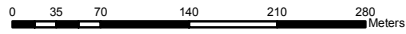
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KEY

-  Route A
Glenborrodale Castle East Gate to Acharacle
-  Variation B
by Dale Cottage
-  Route C
New track to sheds
-  Route D
Glenborrodale Farm Track
-  Variation E
Arivegaig spur
-  Variation F
Laga spur



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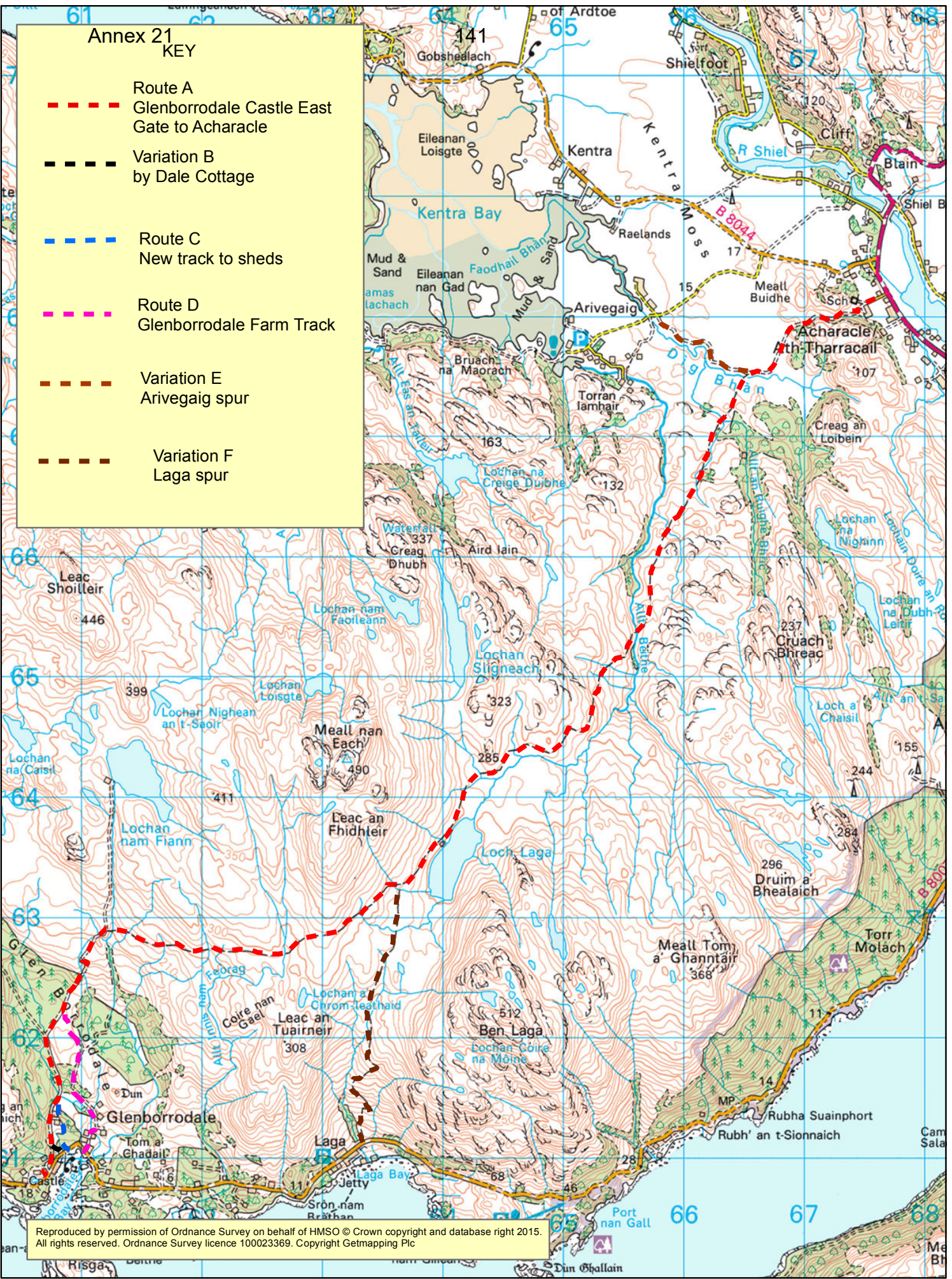


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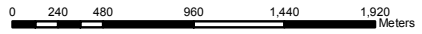


**Annex 21
KEY**

- - - - - Route A
Glenborrodale Castle East Gate to Acharacle
- - - - - Variation B
by Dale Cottage
- - - - - Route C
New track to sheds
- - - - - Route D
Glenborrodale Farm Track
- - - - - Variation E
Arivegaig spur
- - - - - Variation F
Laga spur

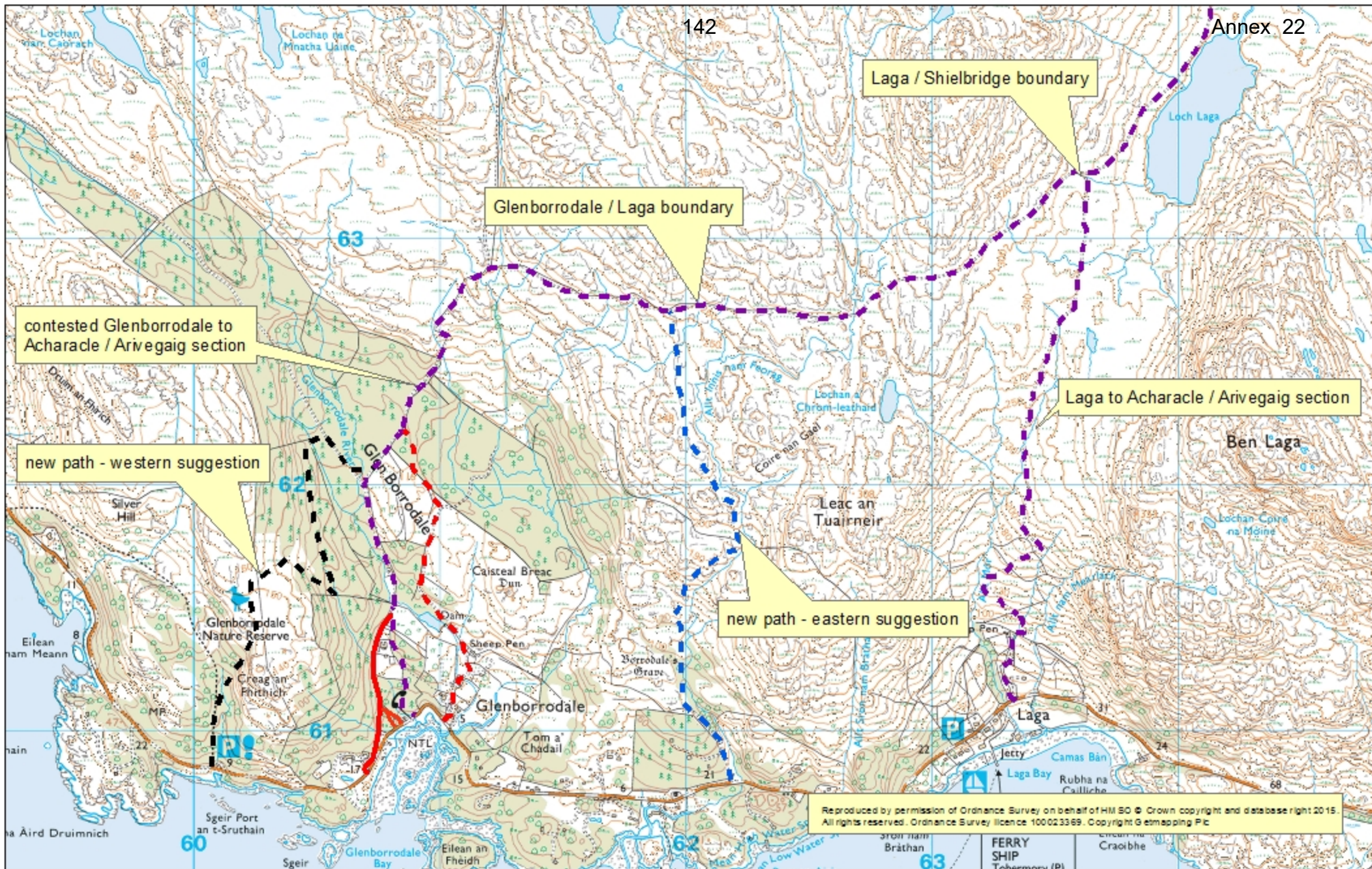


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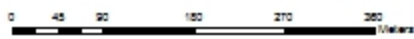
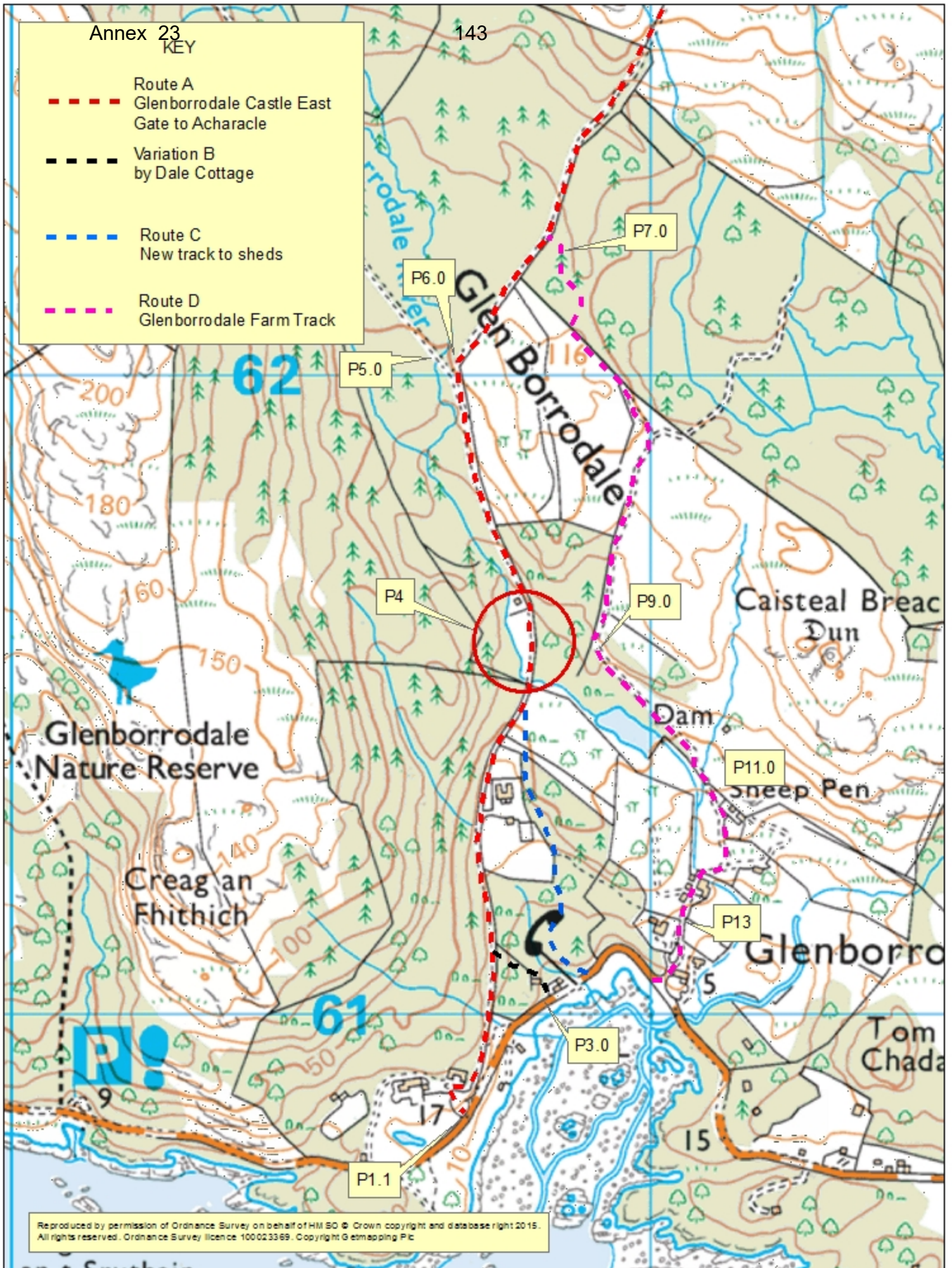
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LO8 Glenborrodale and Laga



Annex 23
KEY

- Route A
Glenborrodale Castle East Gate to Acharacle
- Variation B
by Dale Cottage
- Route C
New track to sheds
- Route D
Glenborrodale Farm Track






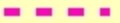
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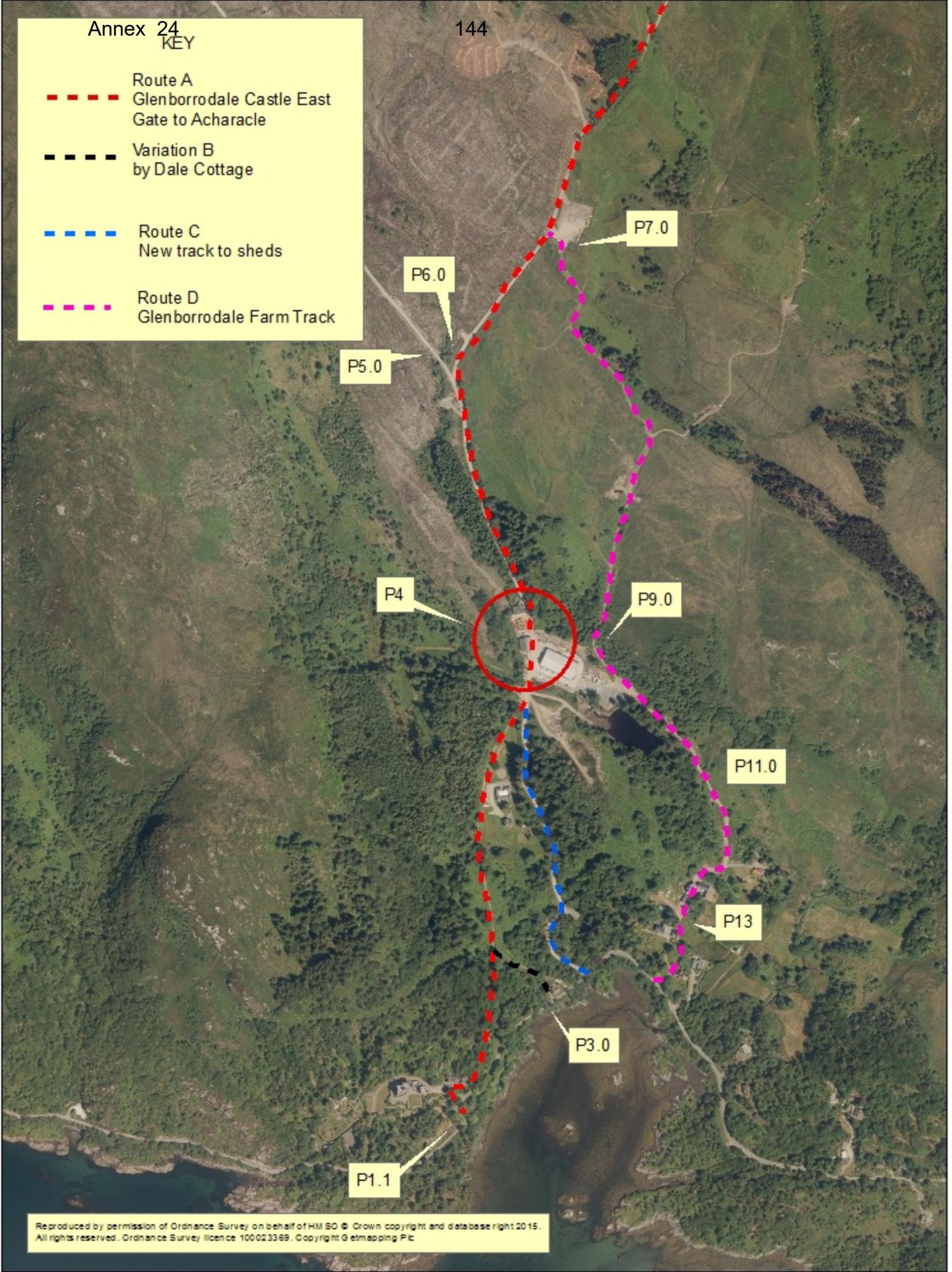
Glenborrodale Key to Photos
Map based



Annex 24
KEY

144

-  Route A
Glenborrodale Castle East Gate to Acharacle
-  Variation B
by Dale Cottage
-  Route C
New track to sheds
-  Route D
Glenborrodale Farm Track



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Glenborrodale Key to Photos
Aerial view



P 1.1 Glenborrodale Castle East Gate



P4 The Sheds







- video available -



149
P5.0



P6.0



P7.0



150
P9.0



P11.0



P13

