

Cluny Estate track – Cairngorms National Park Authority takes enforcement action

Description



Part of upper section of Cluny Estate track, Glen Banchor

On the longest day, the Cairngorms National Park Authority initiated enforcement action against the Cluny Estate for the unlawful track up Carn Leth Choin at the head of Glen Banchor ([see here](#)).

2016/0002/ENF	Cluny Estate	Cluny Estate, Laggan, Newtonmore, Inverness-Shire, PH20 1BS	Unauthorised formation of hill tracks and winning of minerals.	Enforcement Notice	21/06/2017
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The latest entry on the CNPA's Planning Enforcement Register

This is extremely welcome. In March the CNPA had written to me stating that they had been in discussions with the estate about restoring the track voluntarily but if the estate failed to do this the CNPA would take enforcement action ([see here](#)). The addition to the register indicates the estate is refusing to do this and the CNPA have been as good as their word. They deserve support from everyone who cares about our National Parks for initiating this action and will, I suspect, need ongoing support through what is likely to be a long and complex process. Its not easy to bring recalcitrant landowners to heel while removing tracks is not easy. It has been done in the cases of a handful of hydro schemes, but these have been lower down the hill. The only time a track has been removed on high ground was when the National Trust for Scotland removed the bulldozed track on Beinn a Bhuid. This took place over a number of years, being completed in 2001, and took both significant investment and expertise.

Still, the Cluny Estate appears to be owned by the Qatari Royal Family ([see here](#)) who, even if they are under lots of pressure at present due to the blockade from their neighbours, are not short of a bob or two. There is no reason therefore why the restoration should not be to the highest possible standard. While they are about it perhaps the Qatari Royal Family, if its indeed they who own the Cluny estate, should also pay for the restoration of the lower part of the track which was constructed at an earlier date and is, I understand, outside the current enforcement action.



The lower section of the track up the shoulder of Craig Leth Choin is apart from the landscape impact and will be constantly subject to erosion

The significance of this action by the CNPA is far wider than just this hill track. In my view the Planning System in our National Parks (and indeed Scotland) has fallen into disrepute because enforcement action is hardly ever taken. The emphasis has been on co-operating with people who, like the owners of the Cluny estate or Natural Retreats on Cairngorm, appear to have no respect for the planning system, drag out processes of negotiation for years and do anything they can to avoid doing what is right. This therefore needs to be seen as a shot across the bows of all landowners in the National Park (its not the only one, as I will demonstrate in a future post). The CNPA need to see it through. I believe it will only take a couple of enforcement cases, where landowners learn what the costs of ignoring the planning systems are likely to be, and the whole attitude of landowners and their advisers to planning will change.

This is therefore a crucial test for the National Park and they should be congratulated for their new approach.

Category

1. Cairngorms

Tags

1. CNPA
2. hill tracks
3. landed estates
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