

Access rights and signs – examples from the Dunachton Estate, Strathspey

Description



One of two gates on the Dunachton Estate with the same, rather old sign. The line between what is helpful advice and what is intimidatory is not always clearcut

On Monday I went for a bike ride on the Dunachton Estate with Dave Morris, a friend and fellow access campaigner. We rode from near Kincaig over to the River Dulnain and came across a number of advisory access signs, some good some bad, but one in particular really caught our notice.

A new moorland sign



One of two such signs we came across

Scotland's Regional Moorland Groups are a fairly recent front for grouse moor sporting interests which last year launched an offensive against the draft Cairngorms National Park Partnership Plan, leafleting households through the National Park ([see here](#)). This had some success because a number of the proposals in the draft plan that could have constrained the way sporting estates were managed were then watered down. What is interesting from an access perspective is how this sign differs from the Welcome to the Moor signs which have been criticised on parkswatch for a number of years ([see here](#) for example):



Compared to the Welcome to the Moor sign the new sign:

- Only applies March to July, rather than all year: an improvement but that is still four months;
- Clearly links it advice about sticking to the path where possible to lambing and ground nesting birds, rather than moorland management in general ;
- Has dropped the false “Welcome”, followed by a recommendation to keep to the path where possible (all year round), and instead after giving similar advice says “Enjoy your walk”. Nice but what about cyclists and horseriders?
- Like the Welcome to the Moor sign asks people to keep dogs on a lead rather than “close control during these months. Given the number of dogs that have not been properly trained, I can understand the temptation to simplify what was agreed in SOAC although for those people who, like gamekeepers, can control their dogs the message will still stick in the craw.

Overall the new sign appears an improvement compared to the previous one with people only being

requested to keep to the path for four months, not twelve. So what is going on?

The primary argument that sporting estates now use to defend intensive grouse moor management is to claim it is good for wildlife, particularly wading birds, and these species will die out unless predators, the same predators that have been eliminated to boost red grouse populations, are strictly controlled. Hence the reference on the sign to red and amber listed birds, i.e. species in trouble.

I suspect the intended recipients of this message are less walkers – who gamekeepers know are very unlikely to disturb breeding birds (dogs are another matter) – but conservation organisations, both statutory and non-statutory. The point about re-framing the debate on intensive grouse moor management as being about the future of waders is that anyone who then presses for reforms can be portrayed as a threat to birds.

Of course the traps littering grouse moors rather undermine the claims that their owners care about wildlife but they now appear to have realised this. The section on traps in the Welcome to the Moor sign has been removed. Better not to draw attention to what is going on and set traps out of sight of popular routes

What is most striking about the new sign, however, is the logo of the CNPA, which was and still is on many of the Welcome to the Moor Signs, is missing. That is despite the new sign being arguably being more compliant with SOAC! This once again highlights the CNPA's longstanding failure ([see here](#)) to uphold people's rights to walk off path as well as removing any justification for the Welcome to the Moor signs remaining in place.

Other access signs we came across



Above one of the moorland groups signs was an example of a helpful sign. When you come across an open gate it is often difficult to know what to do as the old advice under the country code was to leave gates as you find them. That works most of the time, but does not deal with situations where people fail to close gates behind them. Had this gate been open when we passed there would have had no doubt about the right thing to do!



I commented on a similar Scottish Woodlands sign recently. The problem is the first stop symbol and the words “no authorised access”. It is unlawful as worded and if intended for vehicles only, should say so.

Higher up the hill there was another sign from Scottish Woodlands explaining to visitors what to do while timber harvesting was taking place (the timber harvesting appeared finished and it was lying on the ground):



Note that the sign doesn't say you cannot walk through an area where timber harvesting is taking place but it does provide very sensible advice about how to keep safe. This is another good sign.

And back near the A9 having passed by Dunachton Farm along another track we came across this sign:



The trouble with this sign, like the signs warning about shooting, is the ambiguity. If it meant the farm business is only open at certain times that would be fine. But many people could take this as meaning the whole farm, the track we walked along, the fields on either side etc was closed at other times. That would be an unlawful contravention of access rights.

Wha needs to happen?

It is very hard to get short messages about access right and to ensure they reflect the law, unless they are about simple matters like “close the gate”.

In my view most of the signs we saw on Dunachton were not too bad, although how they will be interpreted also depends on the person. For some people being warned shooting may be taking place can be helpful (we passed a stalker with an ATV and a hind in the back), for others offputting. It is the same with photo of the adder on the new moorland sign, its purpose is ambiguous: is it there to deter or attract?

However intended, if a sign deters some people from exercising their right to roam according to the principles set out in SOAC it should be treated as an obstruction and removed. I will be reporting both the Scottish Woodland "no authorised access" and the new moorlands sign in respect to its advice to stick to the path to the CNPA. We will see what happens.

Category

1. Cairngorms

Tags

1. access rights
2. access signs
3. CNPA
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