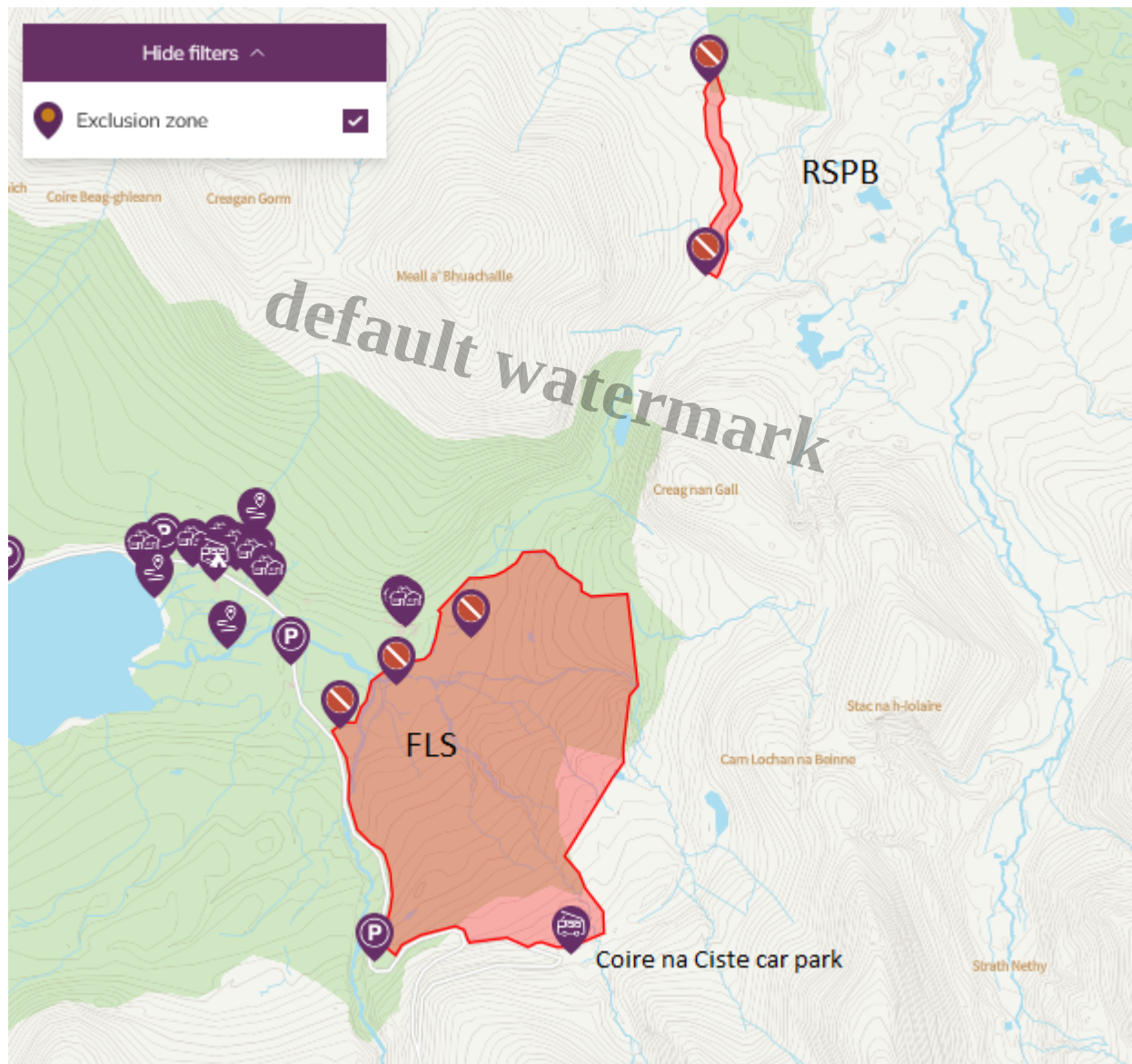


The end of the Cairngorms National Park Authority's unlawful exclusion zone in Glenmore/Abernethy?

Description



The new post- wildfire 'Exclusion zone' as depicted on the CNPA's website 2nd October 2026 depicting the main restricted area in Glenmore and a short section of track north of Ryvoan bothy.

Last Friday, 2nd October, the area still covered by the Cairngorms National Park Authority (CNPA)'s unlawful exclusion zone ([see here](#)) Abernethy and Glenmore was significantly reduced in size.

The remaining 'restricted' areas on the RSPB's Abernethy estate, which were significantly reduced in size just over three weeks ago ([see here](#)), have been removed with one exception, a section of track north of Ryvoan bothy. This change is welcome although the CNPA's justification for trying

to prevent the public using the track is not explained: my best guess is they believe the public need to be excluded because the RSPB are still working to upgrade/repair the track.

The CNPA should know, however, that such work does not justify trying to close a track because protocols were developed on the back of the Scottish Outdoor Access Code to manage the safety issues while maintaining access ([see here](#) for an example of how Scottish Woodlands do this).



The wording in red on the middle sign states; “Please stop and wait until the operator has seen you and signalled that it is safe to pass”. Note the newly resurfaced track visible top left.

Both RSPB and Forest and Land Scotland are members of Cairngorms Connect, another of whose members, Wildland Ltd shows how work on tracks should be managed. On 10th June this year, at the start of the track from Glen Feshie over to Glen Tromie which I took to look at the peatland restoration near Leathad an Taobhain ([see here](#)), I came across a whole lot of road-making machinery and these signs.



little way beyond there were two machines re-surfacing the track. Rather than interrupt the work, I decided to walk through the heather, out of range of the machinery, but the operators saw me, stopped work and beckoned me back on to the track. Really nice people and a good demonstration that there is no need to â??closeâ?? tracks to manage safety issues relating to machinery working on or using tracks.

While many people could walk around the CNPAâ??s remaining â??Exclusion Zoneâ?? on RSPB land by taking a route across the moorland, as I started to do in Glen Feshie, that is not an option for people with disabilities like wheelchair users. The CNPAâ??s attempt therefore to prevent people using this track, contrary to agreed protocols, is highly discriminatory. It should not require an Equality Impact Assessment for their senior management to see that.

At least the CNPA have now re-opened the track from Glenmore to Ryvoan, the one that selected people were allowed to walk down three weeks ago to meet King Charles at An Lochain Uaine ([see here](#)). As Andy Amphlett pointed out in a comment on my post, Sandy McCook had publicly commented on how impressed he had been by the quality of the track work, and it is clear by then any risks from falling trees had been addressed. (I understand Sandy and others were escorted by FLS staff but having an escort would do nothing to prevent a tree falling on your head).

The CNPAâ??s likely justification for trying to prevent the general public from using the track for the last three weeks is that it was still being used by forest machinery for access purposes but, as demonstrated above, that could and should have been managed using existing protocols.

While the Glenmore-Ryvoan track and all the land to the west of this is now open, the area between the track and the Coire na Ciste car park is still shown as being part of the Exclusion Zone although the

land above An Lochain Uaine, where King Charles walked, has now (like the Ryvoan track) been re-opened to lesser mortals).



Part of the area below the Coire na Ciste car park on 23rd August

I walked over some of the land below and around the Coire na Ciste car park six weeks ago to look at the impact of the wildfire there ([see here](#)). The risks of walking over the open ground were no greater than walking over any area of land which has recently been subject to muirburn: not great and fairly obvious.

A significant proportion of the land in the National Park is subject to regular muirburn but the CNPA has never, up until the Abernethy/Glenmore fire, tried to exclude the public from such land on grounds of public safety. If the CNPA's handling of access after the Glenmore/Abernethy fire is allowed to set a precedent the implications for access rights would be horrendous. The organisations representing recreational interests, such as Mountaineering Scotland and Ramblers Scotland, should be saying publicly that the CNPA's attempt to exclude the public from such land is both unacceptable and unlawful.

I had initially thought that Forest and Land Scotland (FLS), who manage Glenmore Forest on behalf of Scottish Ministers and us, the public, were a party to the unlawful Exclusion Zone. Perhaps they were, but the latest information on their website about the wildfire damage in Glen More ([see here](#)) suggests they have seen sense:

“We have removed fire-damaged and unstable trees from the edges of the forest roads and our promoted walking trails, but many dangerous trees remain within the burned area.

Due to the risk of falling trees and branches, we strongly advise that you stay on the open forest roads and waymarked trails if you are within the area between the Ryvoan Trail and the ski road. This is

especially important during windy conditions.â?•

This text does not use the term â?•Exclusion zoneâ?• and is consistent with the framework for managing access and advice to land managers set out in the Scottish Outdoor Access Code. It informs the public of the risks, highlights these are greatest in windy conditions and while â?•strongly advisingâ?• the public to keep to the track leaves it to individuals to make up their own minds. That is exactly how it should be. The way people choosing to walk through an area of burned forest should be managed is no different in principle to how people choosing to climb crags, descend steep icy slopes or swim in cold lochs and rivers (etc etc) should be managed. As with all outdoor recreation you do so at your own risk except where land-managers have created risks (mineshfts, unexploded bombs, fields or forests sprayed with pesticide etc)

The risks FLS describes are restricted to falling trees and branches. There is therefore no need for the CNPA even to advise people to avoid the moorland areas with scattered immature trees above the main forest, as the risks there are minimal and obvious, but despite this they are still trying to exclude the public from these areas. In doing so they are both acting ultra vires and undermining Scotlandâ?•s precious access rights.

Category

1. Access rights
2. Cairngorms

Tags

1. access rights
2. CNPA
3. Forest and Land Scotland
4. RSPB
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