

THE GLEN TANAR RIGHT-OF-WAY SETTLEMENT.

THE Glen Tanar right-of-way case, which has been proceeding in the Court of Session for two years, has been finally settled on the following lines :—

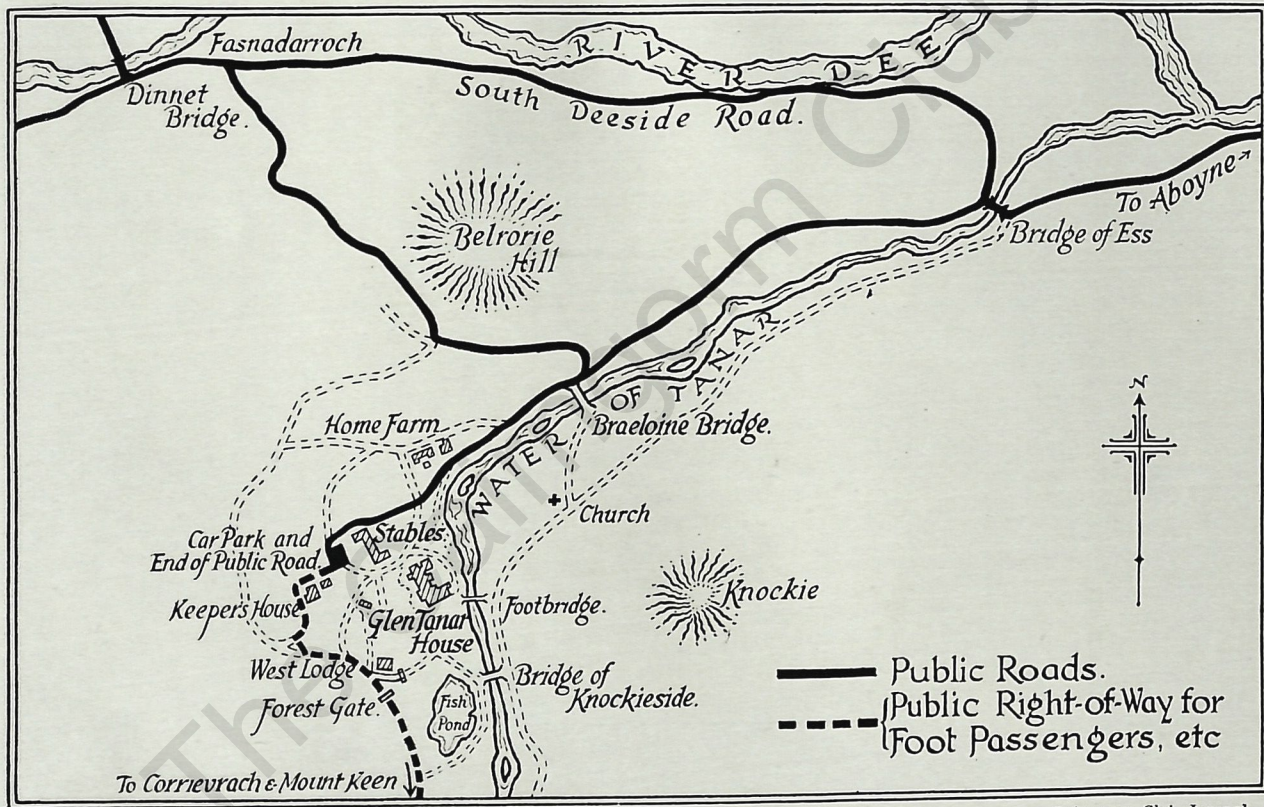
(1) The road leading from Fasnadarroch (on the south Deeside road east of Dinnet Bridge) across by Belrorie and down to the Glen Tanar road (at a point a little below Braeloinne Bridge) is declared a public road for all forms of traffic without any qualification whatever.

(2) The existing public road from Bridge of Ess up Glen Tanar to Glen Tanar House remains a public road for all forms of traffic without any qualification whatever, but a slight change in the route is made when approaching Glen Tanar House. The road, instead of passing in front of the House, is now diverted past the stables, and it ends at a parking place which has been formed beside the stables.

(3) The road from this point up Glen Tanar to Corrievrach is declared a public right-of-way for passengers on foot or by horse or by non-mechanically-propelled cycles.

The action for a right-of-way was raised by the Deeside District Committee of the Aberdeen County Council, who claimed that there was an unrestricted right-of-way for all forms of traffic from Fasnadarroch to Glen Tanar, and that there was a similar right-of-way up Glen Tanar the whole way to Corrievrach, at the foot of Mount Keen. The first claim was not seriously disputed by the Glentanar Trustees and Lord Glentanar. The second claim was strenuously opposed.

The case was heard before Lord Mackay in June, 1930, when much interesting evidence was led on both sides with regard to the use of the road from Glen Tanar House up the glen. Lord Mackay issued his judgment in December, 1930. He granted free and uninterrupted use for all traffic of the road from Fasnadarroch to Glen Tanar. With regard to the road up the glen he found that a vehicular right-of-way existed



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only as far as Knockieside, which is a point just beyond Glen Tanar House, and that it was not proved all the way to Corrievrach. He confirmed a right-of-way, however, for foot passengers all the way.

The County Council, which had by this date, under the Local Government (Scotland) Act, 1929, superseded the District Committee, resolved to accept this judgment and not appeal. Negotiations subsequently took place between the parties and a settlement was effected on the basis stated at the outset of this article. It is understood that the Glentanar Trustees and Lord Glentanar will continue to grant permits to persons to drive or motor up the glen beyond the parking place.