

National Access Forum update – February 2010

Summary of 18th NAF meeting held on 24 February 2010

Dogs and ground-nesting birds

The Forum considered papers from RSPB Scotland, the Scottish Kennel Club and Scottish Natural Heritage (SNH) regarding disturbance of ground-nesting birds by uncontrolled dogs. Discussion highlighted a number of general issues including low awareness of the range of management options among site managers, the benefits of positive management in sympathy with the aspirations of dog owners, and the need for appropriate targeting of responsible behaviour messages. An issues paper will be prepared for the next Forum meeting to highlight key points emerging from this discussion and possible action to address them.

Proposed Loch Lomond camping byelaws

The Loch Lomond & the Trossachs National Park Authority (LLTNPA) is consulting on proposed byelaws to regulate camping on the eastern shore of Loch Lomond. LLTNPA noted that this proposal was intended as part of a wider range of management measures to help address long standing antisocial behaviour. Various Forum members suggested that it would be important to consider this issue in conjunction with wider visitor management in the Park, to manage any potential displacement of this activity to other locations and to avoid damage to protected areas on east Loch Lomond. Some recreation interests cautioned that this might create a precedent, leading to pressure for the adoption of similar regulatory approaches on a more widespread basis.

Access across disused railway bridges

Scottish Borders Council have noted the closure of some disused railway viaducts by the British Railways Board (BRB) because of liability concerns – and the Forum briefly discussed this issue. Related cases concerning access through tunnels or over bridges have arisen in a number of areas, but have so far tended to involve routes which were considered to be of limited importance for access (in one instance, negotiation by the access authority resulted in alternative access provision). SNH will discuss this issue with BRB.

Guidance on outdoor fundraising

The Forum approved a response to a consultation which has been undertaken by the UK-wide Institute of Fundraising, concerning draft guidance on outdoor fundraising events. The Institute is keen to encourage good practice within the sector and is encouraging interested parties to report any events that fall short of this standard through a complaints procedure operated by the Fundraising Standards Board (www.frsb.org.uk).

Application of Sections 11 and 12 to core paths

The Forum discussed a paper from the Scottish Government which noted that Section 11 of the Land Reform Act (temporary exemptions) and Section 12 (byelaws) do not currently apply to core paths in the same way as to other land within access rights. The paper suggested that this technical issue could be addressed by consulting on a draft order to delete Section 6(1)(j) and there was much agreement with the principles underlying this

proposal, although a number of recreation bodies emphasised the need to ensure that the Section 11 process was used only when strictly necessary.

Other recent and ongoing work

- In order to promote further communication between access forums, LAF chairs have now been added to the circulation of NAF papers and their e-mail contact details have been circulated to other LAF chairs. The NAF will also consider ways in which the annual joint meeting could be developed into a more participatory event with better opportunities for networking. The Paths for All Partnership (PFAP) will provide six-monthly updates to the NAF on access issues that have arisen at local level.
- The Forum's stalking communication sub-group is advising on a web-based resource to provide information to hillwalkers about stalking activity – which is being developed by the Deer Commission for Scotland and SNH, working closely with the relevant land management and access bodies. The group has held further meetings to develop the pilot version which will be available online during the 2010 stag stalking season. This will be used to test the usability of the interfaces for both estates and hillwalkers, with the aim of launching a more fully functional version in 2011. Recent work has focused on developing the login process through which estates will access and update the system.
- The Forum's events sub-group is developing national guidance on the organisation and management of outdoor events. The Institute of Fundraising will take part in this group to broaden the representation of event organisers, and EventScotland has sounded out views from a wider range of bodies within this sector. The group will meet in late March to discuss a first draft of guidance.
- The Forum will also develop guidance on responsible access and land management in relation to commercial activities, which will be taken forward by a sub-group when current work to develop guidance on outdoor events has been completed. Views on the scope of this guidance, particularly including the frequency and distribution of commercial access issues, would be helpful in preparing the ground for this work.
- The Access for All (Scotland) Forum, which is supported by PFAP, has agreed to establish a sub-group to draft guidance on the use of motorised vehicles adapted for disabled users.
- A paper on electric fencing will be discussed at the next Forum meeting.

Dates of future meetings

- The next regular meetings of the Forum will take place at Battleby on 19 May and 17 November 2010. The date and location of this year's joint meeting with local access forums will be determined at a later stage.

For further information, or to contribute views on any of the above topics, please contact the Forum Secretary - Mark Wrightham (mark.wrightham@snh.gov.uk; 01463 725316). Further information can also be found on the National Access Forum pages at: <http://www.outdooraccess-scotland.com>.