

# Responsible access in the countryside survey report



October 2020

## **Introduction**

Scottish Land & Estates (SLE) is a membership organisation which uniquely represents the interests of both land managers and land-based businesses across rural Scotland. We promote the wide range of benefits land-based businesses provide; tourist attractions, leisure facilities and landscapes enjoyed by the public, as well as housing, employment and farming opportunities. Our work representing the interests of our members helps to ensure that rural Scotland thrives.

SLE recently carried out a survey of land managers to understand the impact of increased access to the outdoors. While this is not an academic study which can be extrapolated across the membership, almost 100 responses were received which give an insight into the situation in rural Scotland.

The statutory right of responsible access to most land and inland water in Scotland was granted via the Land Reform (Scotland) Act 2003 as amended, and the [Scottish Outdoor Access Code](#) provides further detail on these rights and responsibilities.

## **Covid-19 and Outdoor Access**

The impacts of Covid-19 are significant and have been felt across all sectors. As the nation went into lockdown in March 2020, Scotland saw an increase in the number of people visiting the outdoors for recreation, in particular when the Scottish Government lifted the 5-miles travel restriction.

In May 2020, SLE reported that 49% of members had seen a rise in issues with public access during the months of March and April. We have since carried out a further survey of our membership in September 2020 to determine ongoing issues and dig deeper into what the key problems are.

Findings to our most recent survey indicate that 62% of respondents were experiencing problems associated with public access – all of whom cited litter as a key issue.

In addition to litter, 50% of respondents noted they were having issues with irresponsible dog walkers, 40% with irresponsible fires, 36% had ongoing issues with vehicular access and parking, 30% with wild campers and 27% experienced problems with antisocial behaviour.

## 5 findings from our survey on access issues



40%

of land managers reported  
irresponsible fires by the public  
in the countryside



36%

of land managers said they'd  
had issues with irresponsible  
parking by the public in the  
countryside



30%

of land managers reported  
issues with 'dirty campers' in the  
countryside



27%

of land managers had  
experienced anti-social  
behaviour from the public in the  
countryside



62%

of land managers had problems with litter  
dropped by the public in the  
countryside.

SLE members across Scotland have reported numerous issues with irresponsible wild camping, dubbed “dirty camping”, where we have seen fence posts ripped out and trees cut down for firewood, large fire rings left as a stain on the environment and human waste not properly buried or disposed of. The situation in some areas has been exacerbated by their proximity to urban/semi-urban populations, and often honeypot locations are posted on social media. In the most serious cases, members have witnessed antisocial and sometimes aggressive behaviour from members of the public. The term “right to roam” is often used as a justification for some of the behaviours experienced, however it is important to emphasise that the legislation provides everyone in Scotland with a “right of responsible access”.

There are additional concerns around the cumulative impact of increased access in specific popular areas, both in terms of environmental damage and wildlife disturbance, and the impact on local commercial activities, for example angling.

### **Additional Support**

SLE asked members what additional support they would like to see in dealing with access issues on the ground. While a small proportion were in favour of more stringent legislative restrictions, a large number of respondents were keen to see wider education and enforcement of existing measures. For example, 37% of respondents suggested that better education would help alleviate issues, in particular a Scotland-wide education programme supported by all key stakeholders to clearly explain and encourage how people can behave responsibly in the countryside and better publicity around the Scottish Outdoor Access Code. This is particularly important as we are seeing an increase in access by people, some who may not typically have ventured to the countryside before. Educating various users through a variety of channels will be required to reach as many people as possible, for example through social media campaigns, outdoor education in schools and countryside rangers engaging directly with those taking access.

Members also suggested that additional support was required to help manage issues on the ground, including better infrastructure (6%) and more support, both for Police and from Police (19%), in dealing with the enforcement of existing legislation (13%).

As noted above, 36% of respondents were having issues with vehicular access and parking, under the Land Reform (Scotland) Act 2003, the right of access does not extend to motorised vehicles. Several members suggested better education for the public on where they can legally park was needed, alongside appropriate infrastructure such as car parks and/or public transport. There have been instances where cars have blocked gates, farm tracks and narrow roads and consequently farm and emergency vehicles have been prevented from getting through.

17% of members responding to the survey suggested that legislative changes or some restrictions to access rights would help tackle the issues of irresponsible access. For example, stricter rules on the control of dogs, the prohibition of fires in woodland and amendments to the legislation regarding wild camping. A few suggestions were to update the legislation to make it easier to fine people for offences.

An improvement to infrastructure and funding was also highlighted as a possible solution to tackling access issues, for example a return of the infrastructure fund as one respondent said: “*We are*

*creaking at the seams in terms of car parking, campervan service points, public loos and so on.”*

Another also requested additional Local Authority support, including more bins and more frequent bin collections in popular parking areas.

### **Looking Ahead**

It is clear that there is no “one size fits all” approach in terms of finding a solution to the access issues experienced in 2020. Working collaboratively to develop clear communication to access user groups will be essential in getting the messaging about responsible access across. SLE sits on the National Access Forum, where many of these discussions take place.

We would like to see continued promotion of the Scottish Outdoor Access Code and the right of responsible access. As we continue to encourage people to visit our rural areas it is essential that appropriate infrastructure is put in place, for example litter bins, public toilets, car parks and designated campsites. We would also like to see a commitment to increased funding for visitor engagement roles, ranger services and full-time access officers for every local authority in Scotland alongside long-term strategic planning to deal with these issues.

### **Further information**

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