



## CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

**Title: 2023/2024 -Delivery of statutory duties as conferred by the Land Reform (Scotland) Act 2003**

**Prepared by: Adam Streeter-Smith, Recreation and Access Manager**

### Purpose

This paper is presented in order to update LOAF members on delivery of the Park Authorities statutory duties under the Land Reform (Scotland) Act 2003. To date casework and SOAC duties have been reported separately and it is proposed these are combined into an annual paper to report on activity in the previous financial year

### Recommendations

The LOAF is asked to:

- a) Note the summary of access casework undertaken by the Access & Infrastructure Team.
- b) Members are asked how would they like to advise on casework going forward at LOAF meetings.

### Background

Part one of the Land Reform (Scotland) Act 2003 ("the LRA" or "the Act") sets out the statutory duties, responsibilities and powers of national park authorities in relation to the provision and promotion of the right of access,

Under part one of the LRA the Park Authority has four specific duties:

- **Section 10: The Scottish Outdoor Access Code** ("the Code")- There is a duty imposed on the Park Authority, by section 10(7) (a) of the Act, to publicise the Code.
- **Section 13: Duty to uphold access rights-** Section 13(1) of the Act places a duty on the Park Authority to uphold access rights which entails asserting, protecting, keeping open and free from obstruction any route, waterway or other means by which access may reasonably be exercised.



- **Sections 17, 18 and 20: Core paths plan-** The Park Authority has a duty, to draw up, publish and review a plan for a system of core paths sufficient to provide reasonable public access throughout their areas.
- **Section 25: Local access forum-** Section 25 of the Act places a duty on the Park Authority to establish a local access forum consisting of persons, and bodies representing the interests of such persons, with an interest in public access on and over land including the exercise of access rights, rights of way, core paths plans and the use of core paths, and owners, or bodies representative of owners, of land in respect of which access rights are exercisable.

This paper highlights the delivery of those statutory duties above for the period April 2023 - March 2024

## Promotion of the Scottish Outdoor Access Code

Direct public engagement activities promoting responsible behaviour and the Scottish Outdoor Access Code (SOAC) are undertaken by Park Authority access and ranger staff. Details of this engagement are given below for the period April 23 to March 24. NB This describes formal dedicated access activity only, so does not include ranger patrolling and informal conversations at other community events.

Activity	No. of people	No. of sessions	Activities
School groups	699	16	<ul style="list-style-type: none"><li>• Delivery of SOAC education programme in four primary and one high school</li><li>• One-off outdoor visits from schools</li></ul>
Public events	237	6	<ul style="list-style-type: none"><li>• Ranger “pop-up” events (stall in car park on busy day)</li><li>• Two Deeside responsible access events in partnership with Police Scotland, Scottish Fire &amp; Rescue, partner ranger services and land managers.</li></ul>
CPD / Training	166	9	<ul style="list-style-type: none"><li>• Teacher training to deliver SOAC education resource</li></ul>



			<ul style="list-style-type: none"> <li>• Park Authority SOAC staff and volunteer training</li> <li>• Partner ranger services training</li> <li>• SOAC workshops at national ranger event</li> </ul>
Junior rangers	31	2	<ul style="list-style-type: none"> <li>• Responsible access and land management topics during sessions</li> </ul>
Total number of people directly engaged with	1,133		

Publications - The Park Authority continues to promote the code under the auspices of Tread Lightly in the Park, the list of tread lightly publications includes;

- Main general leaflet (10,000 leaflets)
- Fire and barbeque leaflet (10,000 leaflets)
- “High Fire Risk” magnetic vehicle signs for all rangers vans and partner ranger service vehicles.
- Posters – suite of 5 poster signs
- Capercaillie & dog on lead signs – distributed to seven land managers.

## Duty to uphold access rights

The current record shows a relative increase in Section 14 casework (obstructions to access rights e.g. locked gates) for the 12 month period April 2023 to March 2024 versus previous year. Records for the review period compare as follows:

- 2023/24 – 33 cases
- 2022/23 – 28 cases

Of the above 33 cases recorded in 2023/24 an additional 2 cases were carried over from 2022/2023. Seven are currently LIVE and therefore OPEN meaning 26 cases have been CLOSED following investigation and relevant actions having been taken.

Of the 33 cases 20 were locked gates or other such obstructions that physically prevented access. (2022/23 – 17 gates).



## **Members are asked how they would like to advise on casework going forward at LOAF meetings**

### **Core paths plan**

Looking ahead it proposed that a review of the current Core Paths Plan, adopted in 2015, begins in 2025 with the likely adoption, subject to objections being resolved in early 2026.

### **Local access forum**

The Cairngorms Local Outdoor Access Forum (LOAF) will have been operational for 19 years on the 31 March 2024. For 19 years the LOAF has played a crucial role in helping the Park Authority shape and develop policies and plans, address access issues and advise on the sustainable management of outdoor access. Members time and dedication is highly valued by the Park Authority and by the Park Authority Board.

The LOAF met twice in 2023/2024 and covered topics as wide ranging as:

- Fire management bylaw
- Outdoor access casework
- Active Cairngorms action plan
- Capercaillie conservation.

The LOAF operating procedures state there will be a maximum of 15 members including one Park Authority board member. Currently there are 11 members and recruitment of new members is underway.