
CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

Title: Barbecue Advice

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Purpose: To seek advice on:

1. Support for a Park wide approach to messaging and management of barbecues and fire pits:
2. To advise on Access Authorities position on barbecues and firepits

Background

1. Land managers have raised concerns about the use of disposable barbeques and fire pits, namely that:
 - a. They continue to be used during periods of high fire risk;
 - b. Smoke from these devices lead to fire alerts and on-site investigations;
 - c. Irresponsible barbeque lighting leaves scorch marks on the ground;
 - d. They are often used to host a fire after cooking has taken place.

Legislative background

2. Neither the Land Reform (Scotland) Act 2003 nor the Scottish Outdoor Access Code (SOAC) specially mentions barbeques and fire pits. However, in relation to fires SOAC states:
 - a. Never light a fire anywhere during a “high fire risk” period;
 - b. SOAC states ‘**Never light an open fire...in areas such as forests, woods...or on peaty ground**, therefore, if the site being used falls in to these categories, then land manager permission is required;
 - c. Page 106 of SOAC, “Nature Reserves and other Conservation Areas” states that ‘access rights extend to these places but remember that they are carefully managed for nature conservation and to safeguard rare animals and plants. Take care to avoid damaging the site or disturbing its wildlife, or interfering with its management or enjoyment by others. Depending on your activity, you might be requested to follow a specific route or to avoid exercising access rights in a specific area: following such local guidance can help to safeguard the natural heritage of these areas.
 - d. Page 41 of SOAC in relation to cultural heritage sites states: ‘Some cultural heritage sites are protected by the law (these are called scheduled

monuments), though many lack formal protection. You may not always be aware of the importance of a site or recognise that it is vulnerable to the pressure of visitors and might be easily damaged. In exercising your access rights, therefore, you need to treat these sites carefully and leave them as you find them by:

- i. not digging or otherwise disturbing the ground surface (at these sites, some activities such as camping, lighting fires or using metal detectors can lead to such disturbance).

Access Authority Position

3. In relation to barbeques, including disposable, it is the view of CNPA, as access authority, that they do not constitute an open fire because:
 - a. They are enclosed;
 - b. They require fuel to be transported to the site rather than sourced locally;
 - c. They are specifically for cooking.

4. The use of barbeques, provided they adhere to the advice in “tread lightly in the Park” to cook on, is allowed under access rights, namely:

‘If it is safe to have a barbeque place foil trays on a solid, fire resistant surface such as stones, sand or shingle. Take the foil tray home or dispose of it safely in a bin’.

5. However, the subsequent use of barbeques to host an open fire with locally sourced wood ‘in areas such as forests, woods...or on peaty ground’ is not responsible.
6. In relation to “fire pits” it is our view that they constitute an open fire given that they require wood to be sourced on site, present a fire risk (through sparking and disposable of ash) in woodlands, peat land and farmland and generate significant amounts of smoke leading to potential fire alert events. Therefore, it is our advice that the public, or commercial operator, should not be using a “fire pit” without land manager permission.

Bushcraft

7. In relation to “bush craft” it is our advice that any commercial operator or educational group seeking to use an open fire as part of the session should seek land manager permission.