

This is a list of the relevant clauses from the Land Reform (Scotland) Act 2003 and the accompanying Scottish Outdoor Access Code which refer to the organisation of events.

It is recommended that both publications are read to fully understand your rights and responsibilities as an individual, as part of a group, and as an event organiser.

Land Reform (Scotland) Act 2003, see:

www.opsi.gov.uk/legislation/scotland/acts2003/20030002.htm

Scottish Outdoor Access Code, see:

www.outdooraccess-scotland.com/default.asp?nPageID=26&nSubContentID=0

or:

www.outdooraccess-scotland.com/upload/Full%20Access%20Code.pdf

LAND REFORM (SCOTLAND) ACT 2003

Chapter 2

NATURE AND EXTENT OF ACCESS RIGHTS: FURTHER PROVISIONS

6 Land over which access rights are not exercisable

(1) The land in respect of which access rights are not exercisable is land –

(e) which has been developed or set out –

- (i) as a sports or playing field; or
- (ii) for a particular recreational purpose;

(f) to which –

- (i) for not fewer than 90 days in the year ending on 31st January 2001, members of the public were admitted only on payment; and
- (ii) after that date, and for not fewer than 90 days in each year beginning on 1st February 2001, members of the public are, or are to be, so admitted;

SCOTTISH OUTDOOR ACCESS CODE

Part 2 ACCESS RIGHTS

What you can do under access rights

2.7 'Recreational purposes' is defined in the legislation. It is taken to include:

- **active pursuits**, such as walking, cycling, horse riding and carriage driving, rock climbing, hill-walking, running, orienteering, ski touring, ski mountaineering, caving, canoeing, swimming, rowing, windsurfing, sailing, diving, air sports and wild camping; and
- **participation in events**, such as walking or cycling festivals, hill running races, mountain marathons, mountain biking competitions, long-distance riding events, orienteering events and canoeing competitions.

Part 3 EXERCISING ACCESS RIGHTS RESPONSIBLY

Events

3.57 As an individual, you can exercise access rights as part of an organised group or by taking part in an organised event. Access rights also extend to some types of commercial activity. As a general rule, the larger a group or event, or the more regularly use is made of a particular place, the greater is the risk of causing unreasonable interference with the rights and needs of land managers and other people, and of causing impacts on the environment. Therefore, if you are responsible for organising a group or an event, or for running a recreational or educational business requiring access to the outdoors, you need to show extra care.

3.60 Events are held for a wide range of purposes. (Group outings by club members are not classed as events) All events are organised to some degree, and their scale and timing can sometimes raise safety concerns, hinder land management operations or harm the environment. If you are organising an event, it is good practice to liaise with the relevant land managers. You need to obtain the permission of the relevant land manager(s) if your event:

- needs new or temporary facilities and services (such as car parking, fencing, signs, litter bins, marked courses or toilets); or
- due to its nature or to the number of participants or spectators, is likely, to an unreasonable extent, to hinder land management operations, interfere with other people enjoying the outdoors or affect the environment.

3.61 For reasons such as safety or charging for entry, you might need to seek an order from the local authority to exempt a specific area from access rights for the duration of your event. For larger events, you can help reduce impacts on the interests of other people and the environment by;

- liaising regularly with the land managers and with others who have an interest in the event and its effect (such as the local authorities, local resident groups and conservation bodies);
- having control of the numbers of participants and spectators, and being sensitive to the capacity of the location to absorb large numbers of people;
- making sure that the privacy of local residents is respected and that they suffer minimal inconvenience (for example, by making sure that local roads and parking areas can cope with the traffic from the event);
- making sure that you have plans for the safety of participants, spectators and others;
- planning the event so that easily damaged places are avoided and consulting relevant conservation bodies on what impacts might arise and how best to avoid these;
- making sure that water is not polluted and that all litter and human waste is disposed of properly;
- accepting responsibility to repair any damage caused;
- helping the local economy by buying goods and services locally; and by
- putting something back into the outdoors, for example by making contributions to the local community or to help enhance the environment.

Part 4 MANAGING LAND AND WATER RESPONSIBLY FOR ACCESS

Work with your local authority and other bodies to help integrate access and land management

4.22 If you are contacted by the organiser of a group or event reply positively. If your consent is required, you are encouraged to give this if your concerns or those of others can be properly addressed.