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6<sup>th</sup> December 2004

Dear Malcolm,

**Consultation on Draft Order: Amendment to Section 7 (10) of the Land Reform (Scotland) Act 2003**

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations comprised of 36 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. Members own and manage around 186,000 ha of land of which at least 50,000 ha is woodland, our views are informed by our practical experience in land management. LINK Woodland Task Force and Access Task Force member bodies listed at the end of this letter have expressed support for this response.

Whilst LINK had not anticipated that access rights to woods and forests could be excluded under the Land Reform Act and Scottish Outdoor Access Code, we welcome this consultation in order to avoid challenges to those rights.

LINK supports the wording in the draft Land Reform (Scotland) Act 2003 (Modification) Order 2004. We believe that the modification of the Act will contribute to the achievement of the aim of Part 1 of the Act to 'create greater opportunity for people to enjoy the countryside'. In particular we feel that access to Scotland's woods and forests provide a means of improving people's health and quality of life, another aim of the Act mentioned in the Policy Memorandum, and challenges to this could be detrimental to these aspirations.

However, we would like to object to the exclusion of access to 'land on which seed for trees are sown'. This is for two reasons: firstly we feel that 'tree nurseries' is an adequate description of an area for exclusion and secondly, we do not believe it is workable to exclude relatively small areas of woodland being established through the manual broadcast of seeds from woodlands where there is general access.

Maximising the right of access to Scotland's woods and forests is an integral part of the Land Reform legislation and we welcome this move to ensure that people are not discouraged from recreation in these areas through challenges to their rights.

Scottish Environment  The voice of Scotland's environment movement

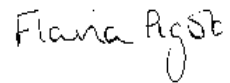


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We look forward to having our views taken into account prior to the placing of the Order before the Parliament.

Yours sincerely

A handwritten signature in black ink that reads "Flavia Pigot". The signature is written in a cursive, slightly slanted style.

Flavia Pigot  
Convener, LINK Woodland Task Force

The following LINK member organisations support this statement:

Mountaineering Council of Scotland  
Ramblers Association Scotland  
Reforestation Scotland  
RSPB Scotland  
Scottish Native Woods  
Woodland Trust Scotland