Rural Affairs Committee call for views on outdoor access

November 2026

Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 50 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organisations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Land Use and Landscape Group and supported by:

Action to Protect Rural Scotland (APRS)

Ramblers Scotland

Scottish Wild Land Group

John Muir Trust

Response

2. What works well about the current system of outdoor access?

The right to responsible access is well understood and hugely popular, and since the introduction of statutory access rights in 2003 outdoor recreation has grown significantly. Our access rights are fundamental for a range of recreational activities which bring enormous benefits, including for public health and wellbeing and for our visitor economy.

Access rights also support public engagement with the natural environment, which in turn can lead to greater support for environmental sustainability and pro-environment behaviour. Disconnect from nature is recognised as an indirect driver of biodiversity loss. Encouraging widespread access to and engagement with the natural environment is an important part of building public connection with and understanding of nature.

3. What could be improved about the current system of outdoor access?

Recreational activity can have an impact on the natural environment and it is important that access rights are enjoyed responsibly. The Scottish Outdoor Access Code is clear that access rights come with responsibilities and encouraging greater understanding of responsible behaviour can ensure that recreation is enjoyed without negative impacts on other people and the environment.

LINK members believe that responsible access can be supported through:

- Greater capacity amongst access authorities to undertake their duties, including compliance and enforcement, core path development, and running Local Access Forums
- Sustained promotion of the Scottish Outdoor Access Code
- Progress on proposals to develop a Scottish Paths Fund

Although the public in general are aware that they have access rights, there is a lack of knowledge of how these can be exercised and what their specific responsibilities are. There is an ongoing need to reinforce these in an imaginative and creative way, including educational material. Access issues could easily become embedded in the curriculum especially in primary schools.

Part B
Rights and responsibilities
1. What impact has Scotland's approach to outdoor access and access rights had in the last 21 years?

Over the past two decades there has been a huge increase in the numbers of people enjoying outdoor access which has benefits in promoting healthy lifestyles.

Landowners and land managers have had to make changes in their practice to accommodate greater levels of access yet there are still some that do not adhere to the expectations of the SOAC. There is a small but significant number of estates where there is poor compliance.

Access to the countryside is an important tourism offering, and thus it contributes to the economy.

2. What role has the Scottish Outdoor Access Code played in developing a culture of responsible access?

As stated, the public know that they have access rights but they are not always conversant in the specifics of these and they are often unaware of their responsibilities.

3. What role have access authorities played in developing a culture of responsible access?

'Access authorities' are public bodies responsible for upholding and managing outdoor access rights. They are Scotland's local authorities and Scotland's two National Park authorities.

Access authorities have an important role in encouraging responsible access as well as encouraging compliance by land managers. A survey published by Ramblers Scotland in January 2026 highlights a concerning fall in capacity with access officer numbers halving since 2005.(1) This lack of capacity undermines the ambitions of the 2003 Land Reform Act and scrutiny of this by the Committee would be welcome.

In addition, there is variation across Scotland in the existence of local access forums with a full or even partial membership. These entirely voluntary bodies are essential in providing knowledge and support to the access officers.

An audit could be taken of the provision of access officers and LAs across all LAs and the National Parks.

1. https://cdn.ramblers.org.uk/media/files/soan-survey-access-authorities-2025-final.pdf?_gl=1*1x42ktb*_gcl_au*MjExOTA0MDY0OC4xNzY3NjA3NDQ2*_ga*MzE5Mzg1ODE4LjE3NTg3MjM4NTU.*_ga_7KLZPCB75D*czE3Njg5OTA0NTgkbzExMiRnMSR0MTc2ODk5NDE0MSRqMTAkbDAkaDA.

4. What are the key issues relating to irresponsible access?

- Access with dogs - fouling, agricultural stock worrying, and wildlife worrying.
- Some antisocial behaviour.
- Wild Camping - this term is widely misinterpreted by many and there is an urgent need to clarify and produce guidance. It does not mean camping near roadsides with cars or motorhomes, it refers to putting everything that one needs, including a tent/shelter and walking into remote wild land to spend one or more nights away and then on return leaving no trace of one's presence. This is more of an expedition, however modest the chosen route, than camping near public infrastructure.

5. What role has the Scottish Outdoor Access Code played in developing a culture of responsible management?

It has encouraged a situation where compliant landowners/managers are more proactive in including facilities (paths, suitable gates) to enable access takers to use their land responsibly. Many landowners have Visitor Management Plans which are helpful. The advice given in the SOAC continues to be sound, clear and easily applied.

6. What role have access authorities played in developing a culture of responsible management?

Where there is an access officer they can build up a good relationship with landowners/managers and also LA Planning Departments to help in ensuring that access rights can always be upheld.

7. What are the key issues relating to irresponsible management?

Locked gates, physical obstructions to free passage (such as loose dangerous or aggressive dogs, bulls in fields with no clear separation from the public, specific obstructions that deter horse riders), inappropriate signage which does not comply with the SOAC. This is quite common and unless members of the public are confident of their rights and responsibilities in relation to access they can act as a deterrent. There are also instances of access takers being incorrectly challenged by employees or owners of landholdings.

New technologies, activities and changing management practices

9. Does the Land Reform Act and Scottish Outdoor Access Code adequately address these changes?

The 2003 Act and SOAC remain robust, and the priority should be a) proper dissemination and promotion of the Code and b) resourcing access authorities to tackle challenges through their compliance powers and co-ordinated visitor management plans at popular or sensitive locations.

Wildfire

10. Does the Scottish Outdoor Access Code (and associated information campaigns) adequately strengthen public awareness of the potential for and risks of wildfire?

Wildfire is a significant and increasing risk to the public and to our natural environment. While weather conditions associated with climate change are driving this increased risk, ignition sources are caused by humans with the potential for significant damage.

Recreational land use is only one of a number of ignition sources. However, it is vital that the public and land users are aware of the risks and greater promotion of responsible access would be welcome.

The Code itself provides clear guidance not to light an open fire during prolonged dry periods or in areas vulnerable to fire. Clear and consistent public messaging and education are vital.

NatureScot and access authorities

11. Do NatureScot and the National Access Forum adequately fulfil their respective duties and purposes in ensuring the Scottish Outdoor Access Code is working as it should?

While NatureScot is the de facto national access body this is an under resourced aspect of their work. The public sector reform process is an opportunity to ensure that access issues are sufficiently reflected in the statutory responsibilities of the proposed single environmental body.

The National Access Forum is a good forum for members to discuss access matters, and they have a record of addressing current and relevant issues and suggesting procedures and actions via published guidance.

12. Are access authorities adequately equipped and resourced (including staffing and access infrastructure) to manage, protect and promote access rights?

No. As referenced in response to question B3, the number of access officers has fallen by half over the past 20 years despite a significant increase in people using their access rights.

13. Do access authorities have adequate powers to deal with:

a) irresponsible access

b) irresponsible management

The powers (as outlined in the updated appendix to SOAC) are wide ranging. Resource to fund monitoring, compliance and frontline engagement is not.

In particular, should all approaches and negotiation have failed to resolve an unsatisfactory situation, they do not have the financial resources to take court action. Access Officers may benefit from training in dispute resolution.

14. Is the legal framework and process for resolving disputes, and addressing irresponsible access and management fit for purpose, in that:

a) how well do Local Access Forums support access authorities to fulfil relevant statutory duties?

This will vary across local authorities. It is necessary to have at least one Access Officer in an authority who is supported by an effective Local Access Forum, and clear lines of communication and support between the forum and local authority.

b) how well do Local Access Forums and/or other routes to resolve access disputes (i.e. through legal action) work in practice?

Again this will vary and much depends on effective relationships and roles. Resolving disputes takes a lot of time and work, involving site visits, and discussions with all stakeholders. This is quite demanding for Local Access Forum members who are volunteers and maybe due to the pressures of work and land activities (eg on their farms and estates) not everything that is required can be accommodated.

The lack of funding for legal work, when absolutely necessary and all other routes have failed, is a handicap.

c) how might the framework and process be improved?

Adequately resourcing Access Officers, providing appropriate facilities to enable meetings with easy access to suitable meeting rooms when required, and adequate transport being available for site visits.

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