

A



A

I Parks and Managed Open Spaces

Discussion points:

- Who are you likely to meet in these places? (*young people, old people, wheel chair users, dog walkers, cyclists etc.*)
- If you are in the places in the pictures and you have a dog with you what are your responsibilities?
- What should you carry with you in order to be able to clean up after your dog?
- If you are on a bike in these places in what ways should you consider other people?

What the Code says:

Public parks and other managed open spaces

Access rights can be exercised in most urban parks, country parks and other managed open spaces. These parks are normally provided for recreational and educational purposes, but may also be managed to help safeguard the environment. Where the levels or types of use are such that peoples safety or the environment is at risk, local guidance or management measures, such as management rules, regulations or byelaws, might have been introduced. Follow such guidance to help ensure that safety or the environment is not put at risk.

Dogs

Access rights apply to people walking dogs provided that their dog(s) is kept under proper control. Your main responsibilities include:

- in recreation areas and other public places avoid causing concern to others by keeping your dog under close control or on a short lead; and
- pick up and remove your dog's faeces if it defecates in a public open place.

Cycling

Access rights extend to cycling. Cycling on hard surfaces, such as wide paths and tracks, causes few problems. On narrow routes, cycling may cause problems for other people, such as walkers and horse riders. If this occurs, dismount and walk until the path becomes suitable again. Do not endanger walkers and horse riders: give other users advance warning of your presence and give way to them on a narrow path. Take care not to alarm farm animals, horses and wildlife. If you are cycling off-path, particularly in winter, avoid:

- going onto wet, boggy or soft ground; and
- churning up the surface.

B



I Rivers, Lochs and Reservoirs

B

Discussion points:

- In these pictures, who needs to take account of the Scottish Outdoor Access Code (everyone) and what should they do?
- What are the particular responsibilities of the canoeist?
- What are the particular responsibilities of the angler?
- It is great fun to have picnics by a river or loch but who and what could be affected if you leave litter behind?
- Everyone's safety is important – which activities shown need particular care?

What the Code says:

Riverbanks and loch shores

Access rights can be exercised along riverbanks and loch shores except where a garden or other curtilage goes right up to the water's edge. Be aware that riverbanks and loch shores are often a refuge for wildlife and may be used for fishing and related management. Show consideration to people fishing and keep a safe distance if an angler is casting a line. Some lochs and reservoirs are used intensively as commercial fisheries and so can be potentially dangerous where a lot of anglers are casting in a small area. Take extra care in such areas. If you wish to use a boat and there is a public slipway or launching point available nearby you should use it. Take extra care if you are passing by or landing on an island as these can often be a good refuge for wildlife.

Rivers, lochs and reservoirs

Access rights extend to rivers, lochs and reservoirs (but never go close to spillways or water intakes). Care for the interests of other users and for the natural heritage of rivers and lochs by:

- not intentionally or recklessly disturbing birds and other animals;
- not polluting the water as it may be used for public water supply;
- making sure that the river, loch or reservoir is appropriate for your activity and the numbers involved;
- following the guidance in the Code, and any local byelaws, to ensure that your activity will not interfere unreasonably with the interests of other users, such as anglers, or the environment.

Fishing

Access rights do not extend to fishing. Anglers need to be careful when casting lines so be aware of where people are on the water and on the land. If a canoeist or other person on the water is close by wait until they have passed by before casting. If you have a line in the water, allow people on the water to pass at the earliest opportunity. Indicating where you would prefer canoeists or rafters to pass by can help but be aware that it might not always be possible for them to follow the route you suggest.





I Forests and Woods

Discussion points:

- In these pictures, who needs to take account of the Code (*everyone*) and what should they do?
- If you are on a horse and you come upon walkers what are your particular responsibilities?
- If you are on a bike and you come upon a group of people walking on the same path what are your particular responsibilities?
- If you are out walking and horses or cyclists are using the same path what are your particular responsibilities?

What the Code says:

Forests and woods

You can exercise access rights in forests and woods. If you are cycling or horse riding, keeping to suitable paths and tracks can help to minimise any damage. If you have a dog with you, keep it under close control or on a short lead during the spring (April to July) so that breeding birds are not disturbed. Livestock might be present in some forests and woods so take care if you come across any animals. Be careful not to trample young trees.

Lighting fires

Never light an open fire during prolonged dry periods or in areas such as forests, woods, farmland, or on peaty ground or near to buildings or in cultural heritage sites where damage can be easily caused.

Help land managers and others to work safely and effectively

Do not hinder land management operations and follow advice from land managers. Respect requests for reasonable limitations on when and where you can go.

Cycling

Access rights extend to cycling. Cycling on hard surfaces, such as wide paths and tracks, causes few problems. On narrow routes, cycling may cause problems for other people, such as walkers and horse riders. If this occurs, dismount and walk until the path becomes suitable again. Do not endanger walkers and horse riders: give other users advance warning of your presence and give way to them on a narrow path. Take care not to alarm farm animals, horses and wildlife. If you are cycling off-path, particularly in winter, avoid:

- going onto wet, boggy or soft ground; and
- churning up the surface.

Horse riding

Access rights extend to horse riding. Riding on firm or hard surfaces, such as wide paths and tracks and well-drained ground, causes few problems. On narrow routes, horse riding may cause problems for other people, such as walkers and cyclists. If this occurs, take extra care by giving way to walkers where possible or by looking for an alternative route. If you are riding off-path, particularly in winter, take care to avoid:

- going onto wet, boggy or soft ground; and
- churning up the surface.

Also see photocard E





I Land Management - Farming

Discussion points:

- How could you accidentally damage farm machinery?
- If you were a farmer and you saw children playing in or around farm machinery how would you react? What would you be thinking?
- If the farmer is harvesting or treating his crop and has put up a sign asking you not to enter the field what should you do and why?

What the Code says:

Help land managers and others to work safely and effectively

Do not hinder land management operations and follow advice from land managers. Respect requests for reasonable limitations on when and where you can go.

Fields where crops are being sprayed and fertilised

Land managers often need to apply fertilisers or other materials, such as slurry or lime, to fields of crops. The duration of the hazard depends on the material used but can extend from a few hours to four days in the case of sulphuric acid. As these can be dangerous to public health, land managers are required to ensure that people do not enter land on which pesticides have been used. Follow any advice asking you to avoid using particular routes or areas at these times.

Fields which are being ploughed or where crops are being harvested

Access rights extend to such fields but do not hinder such work. If you encounter such work while it is underway, proceed carefully, keep a safe distance and follow any advice provided by the land manager. It might be safest to go into a neighbouring field or keep to the edge of the field.

Also see Photo Cards H and I



I Land Management - Forests and Woods

E

Discussion points:

- If you are out for a forest walk and see warning tape and a sign asking you to take another route what should you do?
- Trees which have been cut and piled up can be dangerous – why is that?

What the Code says:

Help land managers and others to work safely and effectively

Do not hinder land management operations and follow advice from land managers. Respect requests for reasonable limitations on when and where you can go.

Forests and woods with ongoing forest operations

Tree felling, timber extraction and haulage may affect an area of forest and forest roads for several months. Read any signs warning you of forest operations, such as tree felling and extraction, and follow any precautions taken by the land manager. This will ensure that you do not hinder these operations and ensure your safety and that of people working there. In some cases, signs may indicate that it is safe to go along a route if the activity has stopped, such as for the weekend. If you come across machinery, keep a safe distance. Take extra care if you are walking, cycling or riding along forest tracks as heavy timber lorries might be using the tracks. Do not climb on to timber stacks and keep children away from them.

Also see Photo Card C

F



Land Management - Sports Shooting/Deer Control

Discussion points:

- Give three reasons why stag and hind shooting takes place? (*For sport which also generates income, for venison, to reduce grazing pressure for conservation objectives*)
- Why are hill walkers less likely to disturb stalking on a Sunday?
- What is the Hillphones Service? (*a recorded telephone message that helps hill walkers find out where stag stalking is taking place and to plan their routes to avoid it*)
- Why is it important to heed signs during sports shooting events?
- Who and what might be affected if you do not heed the signs?

What the Code says:

Help land managers and others to work safely and effectively.

Do not hinder land management operations and follow advice from land managers. Respect requests for reasonable limitations on when and where you can go.

Deer stalking on the open hill

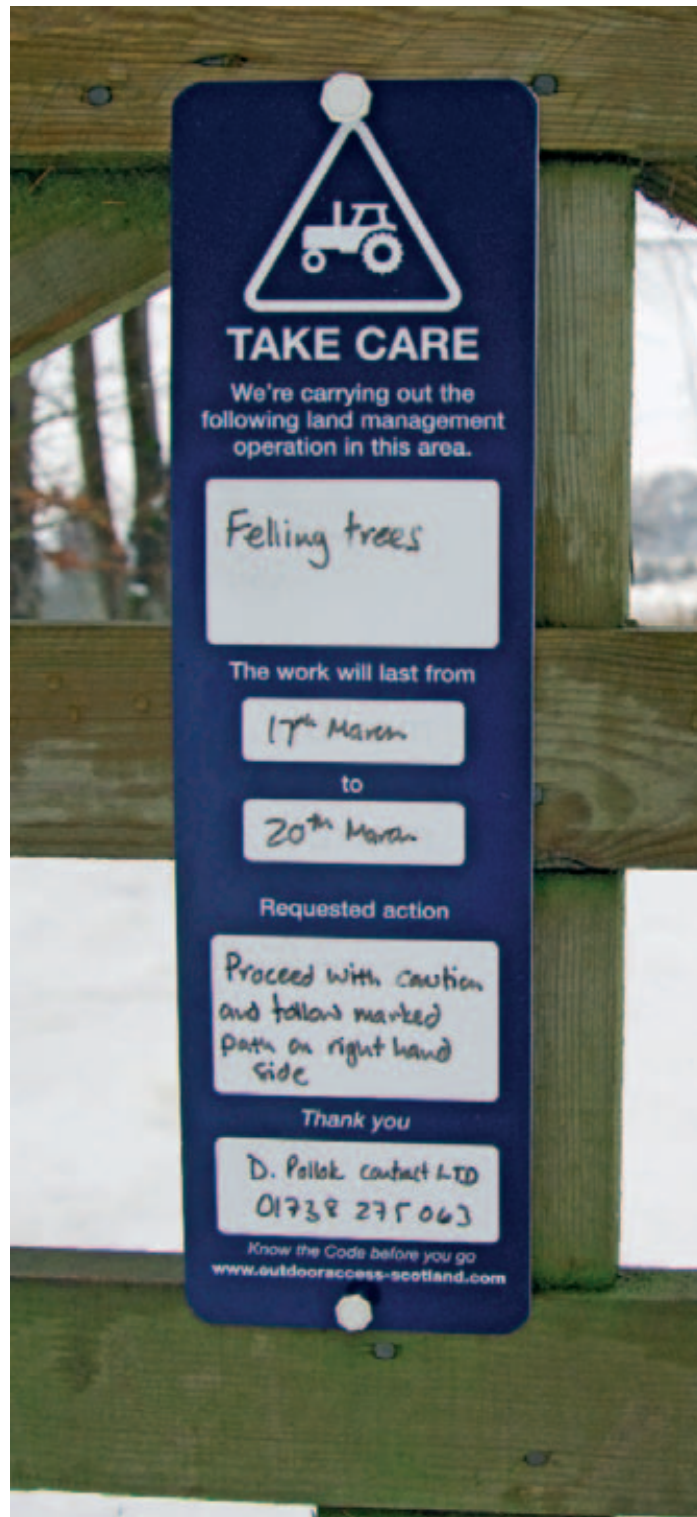
Deer management can take place during many months of the year but the most sensitive time is the stag stalking season (usually from 1 July to 20 October, but with most stalking taking place from August onwards). During this season, you can help to minimise disturbance by taking reasonable steps to find out where stalking is taking place (such as by using the Hillphones service where one is available) and by taking account of advice on alternative routes. Avoid crossing land where stalking is taking place. Stalking does not normally take place on Sundays.

Grouse shooting

The grouse shooting season runs from 12 August to 10 December, with most shoots taking place during the earlier part of the season. You can help to minimise disturbance by being alert to the possibility of shooting taking place on grouse moors and taking account of advice on alternative routes. Avoid crossing land where a shoot is taking place until it is safe to do so.

Low-ground shooting

Low-ground shooting can take several forms. Pheasant and partridge shooting takes place during the autumn and winter in woods and forests, and on neighbouring land. Wildfowl shooting, such as for ducks, also takes place in the autumn and winter, usually on the foreshore or on land close to water and usually around dawn and dusk. You can help minimise disturbance by being alert to the possibility of shooting taking place in these areas during the autumn and winter and by taking account of advice on alternative routes. Avoid crossing land when shooting is taking place. Avoid game bird rearing pens and keep your dog under close control or on a short lead when close to a pen.





Signs in the Outdoors

Discussion points:

- When might a farmer need to ask you to avoid a particular area or avoid a particular activity? (*during lambing or when there is young livestock in the field, during land management operations such as crop spraying, if it is a working farmyard, where there is a high fire risk, where they are managing the field margin for wildlife, where birds or other wildlife are breeding, to warn of farm traffic*)
- When might a forester need to ask people to avoid a particular area or avoid a particular activity? (*during woodland management operations such as tree felling, in areas of high fire risk*)
- Can you think of other times a landowner might ask you to avoid a particular area or avoid a particular activity? (*during shooting*)
- Why should you pay attention to signs erected by land managers?

What the Code says:

The three key principles of the Scottish Outdoor Access Code (Respect the interests of other people, Care for the environment and Take responsibility for your own actions) apply equally to the public and to land managers.

Landowners

Signs can help landowners to meet their responsibilities under the Scottish Outdoor Access Code. Landowners might use signs to encourage the public to use paths, direct people away from sensitive areas, help them to find the best route, provide information about their responsibilities or warn about potential hazards.

Land managers must take reasonably practicable steps to make sure the public are not put at risk by their work. The Code advises that in order to carry out their work safely and effectively land managers should consider signage in the following situations:

- where the hazard raises significant risks (such as tree felling) or isn't obvious to the public
- where the hazard lasts longer than the time it takes for them to complete the work (for instance, spreading slurry in areas frequently used by visitors);
- where the public might not be sure what the land manager wants them to do to avoid a situation (for example, at a farmyard where there may be several choices but the land owner has a preferred option for operational reasons)

The public

The Code advises the public that they have a responsibility to help land managers and others to work safely and effectively by:

- keeping a safe distance and following reasonable advice from the land manager so as not to hinder operations;
- following any precautions taken or reasonable recommendations made by the land manager, such as avoiding an area or route when hazardous operations are under way;
- checking to see what alternatives there are, such as neighbouring land, before entering a field of animals;
- not causing damage to crops by opting to use paths or tracks, going round field margins, going on unsown ground or considering other routes on neighbouring ground.

H





I Fields with Crops

Discussion points:

- When exercising access rights in a field of crops, what are your responsibilities?
- Can grass be a crop?
- What are your responsibilities if you have a dog with you?
- If the farmer is harvesting or treating his crop and has put a sign asking you not to enter the field what should you do and why?

What the Code says:

Fields of growing crops

When exercising access rights in a field of crops, avoid damaging the crop by:

- using any paths or tracks;
- using the margins of the field (if the margin is narrow or has been planted, avoid causing unnecessary damage by keeping close to the edge in single file);
- going along any unsown ground (providing this does not damage the crop); or by
- considering alternative routes on neighbouring ground.

Dogs

Do not take your dog into fields of vegetables or fruit unless there is a clear path such as a core path or right of way, but keep your dog to the path.

Fields of grass, hay and silage

When grass has just been sown, treat it like any other crop and follow the appropriate guidance (see Fields of growing crops). When on land in which grass is being grown for hay or silage you can exercise access rights unless it is at such a late stage of growth that it might be damaged. Such grass will be grown in enclosed fields and have no animals grazing on it. A "late stage of growth" is considered to be when the grass is above ankle height (about 8 inches or 20cm). In such cases, use paths or tracks where they exist or go along the margins of the field. Grass can also be grown for turf, usually on relatively flat ground and in large fields. In these cases, use paths or tracks where they exist or go along the margins of the field, when the turf is at an early stage of establishment or if you are cycling or horse riding.

Also see Photo Card D



I Fields with Livestock

Discussion points:

- Which farm animals could be dangerous, when and why?
- Does having a dog with you affect your access rights? Why?
- Why should you not feed farm animals?
- If you go through a gate, how should you leave it? Why?
- If you climbed over a wall and damaged it what might happen if there were animals in the field?

What the Code says:

Fields with farm animals

Access rights extend to such fields, but remember that some animals, particularly cows with calves but also horses, pigs and farmed deer, can react aggressively towards people. Before entering a field, check to see what alternatives there are. If you are in a field of farm animals, keep a safe distance and watch them carefully.

Fields with young animals present

You can avoid disturbing sheep close to lambing time, or young animals such as calves, lambs, foals and farmed deer, by going into a neighbouring field or onto adjacent land. If this is not possible, keep as far from the animals as possible. Do not take dogs into fields where there are young animals present.

Dogs:

- Never let your dog worry or attack livestock
- Do not take your dog into fields where there are lambs, calves or other young animals
- If you go into a field of farm animals, keep your dog(s) on a short lead or under close control and keep as far away as possible from the animals
- If cattle act aggressively and move towards you, keep calm, let the dog go and take the shortest, safest route out of the field.

Gates, fences, drystone dykes and hedges

Use a gate where one has been provided and leave it as you find it. Do not climb over gates, fences, dykes or hedges unless there is no reasonable alternative nearby. If you have to climb over a fence, avoid causing any damage by doing so near to a post. Climb a gate at the hinge end.

Litter

- Take away all your litter. Take particular care not to drop things like bottles, cans or plastic bags as these can damage machinery and if eaten by a farm animal or a wild animal they can cause severe injury or death.
- Do not leave any food scraps or associated packaging as these might be eaten by animals and help to spread diseases.



I Motorised Sport/Sports pitches J

Discussion points:

- Can you suggest some activities that you think might be excluded from access rights?
- Can you suggest some places that you think might be excluded from access rights?

What the Code says:

The main places where access rights do not apply are:

- houses and gardens, and non-residential buildings and associated land;
- land in which crops are growing;
- land next to a school or used by a school;
- sports or playing fields when these are in use;
- land developed and used for particular recreational purposes;
- golf courses (but you can cross a golf course providing you don't interfere with any games of golf)
- places like airfields, railways, telecommunications sites, military bases and installations, working quarries and construction sites; and
- visitor attractions or other places which charge for entry.

What activities are excluded from access rights?

- Motorised access
- Hunting, shooting, fishing
- Being with a dog that is not under proper control
- Taking away anything from the land for a commercial purpose

School playing fields

Access rights do not apply to land next to a school and which is used by the school (such as school playing fields).

Sporting and other events

Land managers sometimes hire out their land for sporting events, such as for car rallies, golf tournaments, archery or clay pigeon shoots, and other events, such as local shows, pop concerts, and sheep dog trials. These events are usually well-organised, sometimes with a charge for entry, and with marshals and signs directing visitors. Land managers can ask you to follow an alternative route while the event is underway. In some cases, the local authority may have formally excluded the area from access rights for the period of the event and you must respect this.

Sports pitches

You cannot exercise access rights on any sports pitch, playing field or other areas set out for a recreational purpose (such as for archery or other target sports) while it is in use and you should take account of grounds maintenance operations, which can include the application of fertilisers or pesticides. In crossing over a sports pitch or playing field, take care not to damage the playing surface. Horse riders and cyclists need to go around such areas.

Motorised sports

Access rights do not extend to any form of motorised recreation or passage. Motorised activities, such as motor biking and scrambling, off-road driving, the use of any powered craft on water, microlighting, and the use of powered model craft still require the permission of the relevant owner or manager. Access rights, however, do extend to a person with a disability who is using a motorised vehicle or vessel built or adapted for use by that person.



I Houses and Gardens

Discussion points:

- How do you define a garden?
- Do you think that there is a difference between responsible behaviour during the day and at night?
- If your football goes into someone's garden what are your responsibilities?
- Going through someone's garden might be a shortcut to the park but according to the Code can you do this?

What the Code says:

Houses and gardens

Access rights do not extend to houses and gardens. In some cases, the extent of a garden might be difficult to judge. Things to look out for in judging whether an area of land close to a house is a garden or not include:

- a clear boundary, such as a wall, fence, hedge or constructed bank, or a natural boundary like a river, stream or loch;
- a lawn or other area of short mown grass;
- flowerbeds and tended shrubs, paving and water features;
- sheds, glasshouses and summer houses;
- vegetable and fruit gardens (often walled but sometimes well away from houses)

Some larger houses are surrounded by quite large areas of land referred to as the "policies" of the house. Parts of the policies may be intensively managed for the domestic enjoyment of the house and these will include some of the features listed above. Access rights do not extend to these intensively managed areas. The wider, less intensively managed parts of the policies, such as grassland and woodlands, whether enclosed or not, would not be classed as a garden and so access rights can be exercised.

Use a path or track, if there is one, when you are close to a house and keep a sensible distance away if there is no path or track. Take care not to act in ways that might annoy or alarm people living there. At night, take extra care by following paths and tracks and, if there are no paths or tracks, by keeping well away from buildings.



Picking Wild Berries and Mushrooms



Discussion points:

- If picked with care, can you take a few berries or mushrooms for yourself?
- Can you pick berries and mushrooms to sell to a shop or hotel, without asking the landowner's permission?
- If you see berries growing as a crop in the fields are you allowed to pick them?
- How can you preserve wild foods that are growing and help the environment at the same time? *(By leaving plants where they are you allow birds, insects and other animals to feed on them. The animals also help to scatter the seeds and new plants will grow).*

What the Code says:

Picking wild berries and mushrooms

Customary picking of wild fungi and berries for your own consumption is not affected by the legislation. Care for the environment by following any agreed guidance on this activity. However, being on or crossing land or water for the purpose of taking away, for commercial purposes or for profit, anything in or on the land or water is excluded from access rights.

Care for your environment

Do not intentionally or recklessly disturb or destroy plants, birds or other animals.

M





I Golf Courses

Discussion points:

- What are your access rights over golf courses?
- With these access rights come responsibilities – what are they?
- Where can you cross?
- When can you cross?
- Can you take your dog?

What the Code says:

Golf courses

You can only exercise access rights to cross over a golf course and in doing so, you must keep off golf greens at all times and not interfere with any golf games or damage the playing surface. Golf courses are intensively used and managed, and there can be hazards such as where golfers are playing “blind” shots. In exercising access rights:

- allow players to play their shot before crossing a fairway;
- be still when close to a player about to play;
- follow paths where they exist; and
- keep your dog on a short lead.

To avoid damaging the playing surface, cyclists and horse riders need to keep to paths at all times and not go on to any other part of a golf course. When fertilisers or pesticides have been used, the duration of any hazard depends on the material used but should not normally extend more than a few days. Golf course managers can ask you to avoid using particular routes at these times. Following such advice can greatly help to minimise risks to safety.

N





Cultural Heritage Sites

Discussion points:

- What are your particular responsibilities if you are visiting these sites?
- In what ways could people deliberately or accidentally damage these sites?
- According to the Code can you camp on these sites?

Cultural heritage sites

Access rights do not apply to buildings or to other cultural heritage sites where a legitimate entry charge is levied. In other cases, such as many unsupervised historic or archaeological sites, access rights apply. These sites can be of great value, though they might not always be obvious on the ground, so it is important to look after them. Follow any local byelaws, regulations or approved guidance asking you to modify your behaviour in order to protect a cultural heritage site. Leave the site as you find it by:

- taking care not to move, disturb, damage or deface any stones, walls, structures or other features;
- not removing anything from it;
- not lighting fires, camping or using metal detectors there;
- not interfering with or entering any archaeological excavations.





Consequences of Irresponsible Behaviour

Discussion points:

- Suggest some possible causes of fires?
- What can be damaged or destroyed by fire?
- How can you cook safely and responsibly outdoors?
- Why is dropping litter irresponsible?
- How do you feel when you see litter?

What the Code says:

Lighting fires

Wherever possible, use a stove rather than light an open fire. If you do wish to light an open fire, keep it small, under control and supervised – fires that get out of control can cause major damage, for which you might be liable. Never light an open fire during prolonged dry periods or in areas such as forests, woods, farmland, or on peaty ground or near to buildings or in cultural heritage sites where damage can be easily caused. Heed all advice at times of high risk. Remove all traces of an open fire before you leave.

Litter

Take away all your litter. Take particular care not to drop things like bottles, cans or plastic bags as these can damage machinery and if eaten by a farm animal or a wild animal they can cause severe injury or death. Do not leave any food scraps or associated packaging as these might be eaten by animals and help to spread diseases.



Ground-nesting Birds

Discussion points:

- If nesting birds are obviously distressed by your presence what should you do?
- What will happen if your presence keeps adult birds away from their nests for a long period? (*the eggs go cold or are stolen by predators such as crows or gulls*)
- If you are out walking with a dog what are your particular responsibilities regarding ground nesting birds? Why?

What the Code says:

Care for your environment

Do not intentionally or recklessly disturb or destroy plants, birds or other animals.

Keep your dog under proper control

Keep it on a short lead or under close control during the bird breeding season (usually April to July) in areas such as moorland, forests, grassland, loch shores and the sea shore.





I Camping

Discussion points:

- Where are you not allowed to camp?
- Where can you camp?
- If you need the toilet, what does the Code say you should do?
- What would you have to do to leave no trace of your camp?

What the Code says:

Camping

Access rights extend to camping that is lightweight, done in small numbers and only for two or three nights in any one place. You can camp in this way wherever access rights apply but help to avoid causing problems for local people and land managers by not camping in enclosed fields of crops or farm animals and by keeping well away from buildings, roads or historic structures. Take extra care to avoid disturbing deer stalking or grouse shooting. If you wish to camp close to a house or building, seek the owner's permission. Leave no trace by:

- taking away all your litter;
- removing all traces of your tent pitch and of any open fire (follow the guidance for lighting fires);
- not causing any pollution.

Human waste

If you need to urinate, do so at least 30m from open water or rivers and streams. If you need to defecate, do so as far away as possible from buildings, from open water or rivers and streams, and from any farm animals. Bury faeces in a shallow hole and replace the turf.

Beaches and the foreshore

Access rights extend to beaches and the foreshore. Follow any local guidance aimed at reducing dune or machair erosion or at avoiding disturbance of nesting birds. Public rights on the foreshore will continue to exist, including shooting wildfowl, fishing for sea fish, lighting fires, beachcombing, swimming, playing and picnicking.





I Flowers & Plants

Discussion points:

- Who and what benefits from wild flowers?
- Why is it important not to pick or take flowers and plants away? *(By leaving plants where they are you allow birds, insects and other animals to feed on them. The animals will also help to scatter the seeds and new plants will grow)*
- Instead of taking the flowers what could you do? *(Take a photo)*

What the Code says:

Care for your environment

- By not intentionally or recklessly disturbing or destroying plants, birds and other animals.
- It is an offence under the Wildlife and Countryside Act 1981 to intentionally uproot any wild plant without the permission of the landowner. Certain wild plants have special protection and it is an offence to pick, collect, cut, uproot or destroy them, even if the landowner agrees.