



the National Trust
for Scotland

a place for everyone

ORGANISED EVENTS AT NTS COUNTRYSIDE PROPERTIES

NTS POLICY 2007

The Trust supports the implementation of Part 1 of the Land Reform (Scotland) Act 2003 in a consistent and positive manner across its operations and actively encourages responsible access taking. In promoting access to the outdoors to as wide an audience as possible, the Trust recognises that many organised events introduce people that otherwise might not have participated to the pleasures of the countryside and that this is to be welcomed.

Most organised events that exercise the rights given by the Act, and which are properly organised and follow the guidance in the Scottish Outdoor Access Code (SOAC), will not cause any concern to the Trust. However, having regard to its responsibilities for the conservation and enjoyment of its properties, the Trust has a presumption against any organised event that, due to its nature or location, or to the number of participants or spectators, is likely to interfere with the enjoyment of the outdoors by other people or to have a detrimental effect on the environment. This is in line with the guidance in paragraphs 3.60, 3.61 and 4.22 of the SOAC, which makes it clear that in circumstances where an organised event is likely to cause unreasonable interference or damage, the permission of the relevant land managers is required for the event to go ahead¹.

The Trust welcomes and encourages early liaison from organisers of events to allow staff to offer advice about the particular property or to raise concerns at an early stage. Where concerns are raised about the potential impact of a proposed event, the Trust would prefer, where time allows, to negotiate with organisers so that the event is planned in a way that alleviates concerns rather than to refuse permission for it to go ahead. In the Trust's experience most organisers are open to dialogue aimed at avoiding problems, and its knowledge of its properties can sometimes help to make the resulting events run more smoothly. Where relevant, Trust staff will involve local authority access officers and neighbouring land managers in such discussions, and where appropriate, will seek advice more widely.

During planning for an event the Trust will usually request information from organisers, which will generally include details of proposed routes, likely number of participants, health and safety provision and insurance cover. Other information requested will depend on the type of event and the proposed location.

If the circumstances arise in which the Trust feels unable to give permission for such an event due to impacts it is likely to have, the Trust will assess these impacts and convey the results in a transparent way. This will involve elements of both environmental impact assessment and risk assessment processes to assess the scale of hazard, likelihood of its occurrence and its potential

impact on a particular environmental feature or on other people's enjoyment of a particular location. A comprehensive list of factors to be considered is not given here, as these will depend on the nature of the event and the locations and key conservation features involved. A case-by-case approach will be used, but the types of factors that are likely to be taken into consideration include: location, timing and frequency of event; robustness of terrain; sensitivity of key conservation features; impact on visitor experience and safety; wild land quality; and robustness of path infrastructure.

The analysis conducted will have to be quite subtle in that the circumstances of each proposed event will differ. Even a small-scale event in a highly sensitive area might have a big impact, whereas the impact of a much larger-scale event held in a more robust location can be acceptable. Examples of such differences might be: the area directly around Mar Lodge is less sensitive than the high Cairngorms; wooded settings can generally absorb more people without impinging on others' enjoyment than open landscapes; a World Heritage Site such as St Kilda requires greater sensitivity than somewhere managed in the expectation of higher visitor numbers such as Ben Lomond.

Following an event, especially if there were concerns that it might have adverse effects, any impacts resulting from it (including impact on the recreational experience as well as direct impacts on the natural or cultural heritage) should be recorded and collated, and the information used to inform future decision-making.

This policy was developed for events being organised by external groups or individuals, but a similar assessment process is applied to any events proposed and organised by the Trust itself.

ⁱ Extract from Scottish Outdoor Access Code as approved by the Scottish Parliament on 1 July 2004 and published by Scottish Natural Heritage (2005):

3.60 Events are held for a wide range of purposes⁴⁵. 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 event⁴⁶. For larger events, you can help to 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 effects (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 local environment.

4.22 If you [as a *land manager*] are contacted by the organiser of a group or event (see paragraphs 3.57 to 3.64), reply positively. If your consent is required, you are encouraged to give this if your concerns or those of others can be properly addressed.

⁴⁵ Group outings by club members are not classed as events.

⁴⁶ See Section 11 of the Land Reform (Scotland) Act 2003. Further information is also provided in paragraph 2.11 of this Code.