

# SAFEGUARDING AND IMPROVING EQUESTRIAN ACCESS IN SCOTLAND

## Core Path Plans

Section 18 of the Land Reform (Scotland) Act 2003 placed a duty on all access authorities to “draw up a plan for a system of paths (“core paths”) sufficient for the purpose of giving the public reasonable access throughout their area”. Although legally access rights are not restricted to core paths, or specifically to paths and tracks, core paths are recognised as the providing the basic framework for access, and can play a very significant role when trying to safeguard existing access or to resolve access problems such as locked gates. For example, when assessing grant applications for new tree planting, woodland management and forest restructuring, Scottish Forestry currently only check Core Path Plans and the Catalogue of Rights of Way, so paths and tracks which are not shown on the Core Path Plan are all too easily ignored. It is far more difficult to try and reinstate access when a deer fence has been erected across a longstanding path or track than to ensure access is taken into account at the design stage of new planting or woodland management.

Core paths are also important in many other ways. Access authorities have a legal right to assert and maintain core paths, but do not have a legal obligation to promote or maintain them. As time and resources for maintenance become ever tighter, most access authorities are concentrating on core paths and it is becoming ever more difficult to persuade them to do anything about other paths or tracks.

Local riders, walkers, cyclists and BHS access representatives were closely involved in drawing up Core Path Plans and suggesting which routes should be included, although the approach taken by each access authority varied and it can be a postcode lottery what types of path were included. Some access authorities focused very heavily on paths around communities, others took a more strategic approach including links between communities and routes which spanned local authority boundaries. It is worth checking that the most important off-road equestrian paths and tracks are included in the relevant core path plan. Most core path plans are available on line, and hard copies are kept in local libraries.

Section 20 of the Land Reform Scotland Act required access authorities “at such times as they consider appropriate” to review their Core Path Plan. Some access authorities, such as Moray, are well down the line of reviewing and updating their core path plan. Others have yet to start. If there are paths, tracks or other routes which you feel should be included on the core path plan which are not already shown, then you might want to think about trying to get them included in the new revision. Ask your access authority when they propose reviewing their core path plan, and how to propose any additions or revisions.

## Lobbying for equestrian access

Lobbying is the process by which individuals or organisations can attempt to influence decision makers (principally politicians) to change the law or government policy. There are no hard or fast rules for successful lobbying, but the following tips may help.

## ***Identify who you need to lobby***

Think carefully who can make a difference, or is in a position to promote or defend the cause you want to pursue. MSPs are often the most appropriate because most of the legislation that affects access is devolved to Scottish government so comes under the remit of MSPs rather than MPs. One of the tenets of Scottish Parliament is its approachability, so don't be afraid to try and get MSPs to understand why off-road access is so important for horse riders and carriage drivers. Most MSPs will be interested to know if the Land Reform (Scotland) Act is working in your particular area. And if they are not interested, then find a way of convincing them that they should be!

Your local constituency MSP will usually be the first choice, but if you are unsure if they will support you, you could choose a list MSP from your region. To determine who is likely to be most supportive, check out which MSPs are on the Rural Affairs and Environment Committee, or perhaps the Health and Sport Committee. Do any of them ride, or have an interest in horses or access?

At local level, you will need to lobby local councillors and community councils.

## ***Establishing support***

You will have a much stronger case and are far more likely to get support if you can demonstrate that you are talking about access for all types of user, and people of all ages and abilities, rather than simply equestrian access. Very often obstructions to equestrian access also limit disabled access. How do your concerns affect other people trying to exercise their access rights responsibly? Are there any other recreational interests or users who might be willing to join forces and help lobby?

## ***How to lobby***

Like it or not, horse riders and carriage drivers are all too often seen as elitist and privileged, which does not necessarily help win friends and influence people. Think through in advance the key points you need to get across to win support. Highlighting the economic and health benefits of riding and driving, and the safety risks on the road. The BHS website includes relevant up to date statistics and other information to help you make the case for off-road equestrian access. Look at things from other peoples' perspective, and be prepared to compromise. Offering compromises to those who might not support your position may be better than no outcome at all.

Politicians quickly lose interest when confronted by the same person lobbying them over and over again on different issues. Identify different people to lobby on different issues directly relevant to them so that they can add a bit of a personal story to the problem. Can the local riding club or a riding establishment take up a particular local cause? It is always worth stressing the impact of resolving access issues or developing new paths on people of all ages, including young and old riders. Demonstrating the effects and risks of riders of different ages being forced onto the road can help strengthen your case, but always be honest and polite.

## ***Petitions***

Inviting people to sign a petition which is then submitted to the Public Petitions Committee at Scottish parliament can be an effective way of pursuing action on a problem, either if you are having difficulty finding a politician to support your cause, or to demonstrate the level of local, regional or national concern about an issue. E-petitions may attract a wider audience than hard copy petition, and lend themselves to promotion through social media.

## Working with the media

Local newspapers and radio stations are nearly always interested in local stories, particularly if the issues involved affect or are potentially of interest to a wide range of people. It's worth cultivating good relationships with local media, and trying to find a sympathetic journalist who may help you pursue your cause. Press coverage can be particularly useful in influencing local councillors and persuading them to take action. Whoever you contact, make sure you have your facts straight first, and think carefully before levelling or implying criticism of the access authority or individual landowners. When it comes to the crunch, access authorities are the only ones who can pursue legal action against a land owner or manager to remove obstructions to access, so it is best to work with them as allies wherever possible. Wherever possible, it is better to try and find an amicable solution than to start finger pointing.

If you need further advice on equestrian access in Scotland, contact your local BHS access representative (see [www.bhs.org.uk/scotland](http://www.bhs.org.uk/scotland) for contact details) or Helene Mauchlen, National Manager Scotland Tel. 07808 141077 or email [Helene.Mauchlen@bhs.org.uk](mailto:Helene.Mauchlen@bhs.org.uk).

For guidance on equestrian access in England and Wales, contact Access and Rights of Way Department, The British Horse Society, Abbey Park, Stareton Lane, Kenilworth, Warwickshire CV8 2XZ. Telephone 02476 840581. Email [access@bhs.org.uk](mailto:access@bhs.org.uk)

Updated February 2021