



Policy on Public Access to SWT Wildlife Reserves

Scope of this policy

This policy sets out the Scottish Wildlife Trust's views on the objectives, provision, and promotion of access on its wildlife reserves.

Policy Headline

SWT manages its wildlife reserves for nature conservation objectives but also aims to support and promote public access where this can be done responsibly in line with the Scottish Outdoor Access Code. The Trust will always attempt to maintain a presumption in favour of public access, advising of restrictions only where health and safety or irreconcilable conflicts with nature conservation interests arise.

Policy Summary

1. SWT is a responsible manager of public access on its wildlife reserves.
2. SWT will adhere to the legislation on rights of access and enable the public to exercise their rights responsibly in line with the SOAC.
3. SWT will promote and provide, where practical, access to its wildlife reserves for all individuals, irrespective of age and ability in accordance with the location, terrain and nature conservation requirements of the reserve.
4. Where conflicts between public access and nature conservation cannot be resolved in any other way, SWT will request restrictions on public access, following consultation with the appropriate access authorities, in line with the Land Reform (Scotland) Act 2003 and adhering to guidance in the SOAC.
5. SWT will support the relevant authorities in pursuit of legal action, or imposition of byelaws, where there has been a significant or continual breach of the access legislation where it affects the nature conservation interest of a SWT wildlife reserve.

Policy Statement

Public Access & Conservation Objectives

6. SWT will provide, where practical, access to its wildlife reserves for all individuals, irrespective of age and ability. By providing appropriate paths and way marked routes through its wildlife reserves, the Trust will minimise the need to seek passage through sensitive or potentially unsafe areas.
7. SWT wildlife reserves will be managed for the purposes of nature conservation, in the knowledge that the Trust is creating and maintaining places of value which other organisations, communities and individuals may wish to visit, experience, learn from and enjoy.
8. Through the promotion of access to its wildlife reserves SWT will support peoples' understanding of the need to conserve areas of natural value. In doing so, SWT will adhere to the legislation on rights of access and allow the public to exercise their rights responsibly in line with the SOAC.
9. SWT will consult with the landowner, where it retains a management agreement for a wildlife reserve, on the most appropriate form of public access provision.

Protecting Scotland's wildlife for the future

Headquarters: Cramond House, Cramond Glebe Road, Edinburgh EH4 6NS
•Tel: 0131 312 7765 •Fax: 0131 312 8705 •Email: enquiries@swt.org.uk

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[www.swt.org.uk]



10. SWT will endeavour to anticipate and mitigate conflicts between public access and nature conservation objectives through the reserve management planning process.
11. Where conflicts between public access and nature conservation cannot be resolved in any other way SWT will seek to restrict public access, following consultation with the appropriate access authorities, in line with the Land Reform (Scotland) Act 2003 and adhering to guidance in the SOAC.
12. SWT will support the relevant authorities in pursuit of legal action, or imposition of byelaws, where there has been a significant or continual breach of the access legislation where it affects the nature conservation interest of a SWT wildlife reserve.

Limiting and Restricting Public Access

13. Whilst SWT wishes to maintain a presumption in favour of unrestricted access, the nature of some reserves and the way they are managed may mean this will not always be possible.
14. SWT will advise the public where access may cause problems for the management of a reserve. Such advice will cover the minimum area and duration of the restriction, in cases such as the following:
 - ◆ Where the wildlife or habitat interest of an area could be disturbed, damaged or adversely affected.
 - ◆ Where the terrain is unsuitable for health and safety reasons.
 - ◆ Where land management operations are underway which present a potential hazard.
 - ◆ Where, after consulting SNH and the relevant access authority, it is clear that agreed conservation or health and safety objectives for a reserve could be compromised.
15. Where possible on staffed reserves a focus on education and face-to-face communication will be used to advise the public of areas to be avoided rather than an over-reliance on signs.
16. The Trust will ensure that information relating to public access:
 - ◆ Is clear, concise and non-technical
 - ◆ Is specific, such as detailing the health and safety risks, threats to breeding bird areas or other sensitive habitats.
 - ◆ Indicates where safe alternative routes or detours can be made
 - ◆ Shows the duration of the request
 - ◆ Gives a contact telephone number for enquiries, when appropriate
17. Where a management operation is of a routine nature, short in duration and staff members are on site, the Trust may use less detailed signs of a standard nature, if this is deemed more practical and appropriate.
 - ◆ Where practicable and reasonable, any signs containing details of any warnings, precautions or route alterations will be provided at obvious access points such as car parks and gates not just in the immediate area in question.

Promoting and Managing Responsible Access on SWT Reserves

18. Through its reserve management planning process, the Trust will undertake to review the following as an ongoing commitment;
 - ◆ Assess all wildlife reserves for public access suitability, health and safety, and compliance with the SOAC and DDA.
 - ◆ Generate tailored objectives and management requirements for public access provision.
 - ◆ Undertake an annual risk assessment for every reserve to determine visitor safety.
19. Work with the appropriate relevant access authority, local access forum, landowners, neighbours and other bodies to help integrate public access and management requirements.

20. SWT will use its resources as appropriate to;
- ◆ Provide the appropriate level of public access provision in line with the nature of the site in accordance with our reserve hierarchy (see Appendix 1).
 - ◆ Maintain access facilities, such as footpaths and gates, in a good and safe order.
 - ◆ Provide, where reasonable and practicable, suitable facilities for all abilities in compliance with DDA.
 - ◆ Promote particular reserves and facilities, such as key paths, visitor centres, and bird hides through the use of our website, The Wildlife Trust's Reserve Guide, area reserve leaflets and other materials.
 - ◆ Let the public know what access restrictions are in place on SWT wildlife reserves.

SWT Priorities for Action

SWT will take action to further the principles set out in this policy by:

21. SWT will work with statutory bodies, advisory groups and other land owning bodies to share and develop best practice on managing sites for nature conservation purposes, where access is positively promoted and restrictions minimised.
22. SWT will conduct an access review, followed by a risk assessment for all of its reserves. From these reviews, we will generate tailored objectives and management requirements which will be incorporated within the reserve management plan.

Cross-reference to other related SWT policies

23. This policy replaces the previous ¹Scottish Wildlife Trust (SWT) Policy on Access on Wildlife Reserves (December 1992), and responds to the ²Land Reform (Scotland) Act 2003 (LRA), the ³Scottish Outdoor Access Code (SOAC), and ⁴Disability Discrimination Act 1995 (DDA).

References

24. For background notes to this Policy Statement, please see Appendix 1.

Policy Drafted by Sheila Gallagher, Stuart Hay, and Stuart Brooks

Policy to be reviewed 2010

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¹ Also referred to as 'The Trust'

² Land Reform (Scotland) Act 2003 asp 2

³ Scottish Natural Heritage, *Scottish Outdoor Access Code*, 2005

⁴ Disability Discrimination Act, 1995.