Rural Affairs Committee
Wednesday 4 November 2026
9th Meeting, 2026 (Session 7)

Outdoor Access in Scotland

Introduction

1. In September, the Committee agreed to conduct a short inquiry to understand how well Scotland's outdoor access system is working and consider whether changes are needed to ensure that it is fit for the future.

2. The Committee launched a call for views on 28 September with a closing date of 23 November.

3. The Committee has also agreed to undertake two visits. The first will take place at the start of the West Highland Way in Milngavie and include a visit to Loch Lomond & The Trossachs National Park. The Second visit will take place at the Pentland Hills Regional Park.

4. The inquiry will be structured in two parts. Part one will include two introductory sessions: the first with a panel of academics, and the second with access authorities and other relevant bodies responsible for outdoor access.

5. Once the Call for views closes, the Committee will take stock before scheduling further evidence.

Background

6. Part 1 of the Land Reform (Scotland) Act 2003 established a framework of public access rights to most land and inland water. These rights are based on the principle of responsible access, with obligations both on the access takers and on the managers of the land.

7. Statutory access rights established by Part 1 of the Land Reform (Scotland) Act 2003 include:

    - A right to be on land, and to cross land (including inland water), for recreational, educational and certain commercial purposes (the latter limited to activities that could equally be carried on non-commercially, such as guided walking).

    - Rights apply to all non-motorised means of travel — on foot, by bicycle, on horseback, or by canoe/kayak, for example — plus access with a mobility scooter or similar vehicle used because of disability.

    - Rights do not extend to motorised activity, and are subject to statutory exceptions, notably the curtilage of a building (gardens), other buildings and their yards, land where crops are growing, school grounds, sports pitches in

use, land let for or being used for a required activity such as building or quarrying works, and land where an entry charge is made for a specific purpose (e.g. a paid visitor attraction).

- Rights exist only where exercised responsibly — this qualification is central to the whole scheme and is defined and elaborated through a Code (see below) rather than through a rigid statutory list.

9. Guidance is set out in the Scottish Outdoor Access Code (SOAC), which was introduced in February 2005, and is overseen by NatureScot.

10. NatureScot has a series of duties and powers under the Act, including to publicise and promote the Code, and to keep it under review.

11. NatureScot has established and provides the secretariat for the National Access Forum, which advises them on national issues linked to Scottish access rights. The Forum seeks to complement the work of local access forums, which advise on and help to resolve local access issues.

12. Access rights are upheld and managed on the ground by local authorities and National Park authorities (called "Access Authorities"). They have duties and powers to manage access in their areas, including to:

- uphold the exercise of access rights over any route, waterway or other means by which access rights may be exercised;
- plan for a system of core paths that gives the public reasonable access throughout their area;
- establish one or more local access forums for their area; and
- publicise the Scottish Outdoor Access Code.

13. The Land Reform (Scotland) Act 2016 made minor technical amendments to the 2003 Act's access provisions, principally to the procedure for reviewing core path plans. Core paths are the individual paths making up a local authority's (or national park authority's) planned path network. Under section 17(1) of the Land Reform (Scotland) Act 2003, the local authority has a duty 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. A core paths plan is the statutory document setting out that network.

Scotland's People and Nature Survey (SPANS)

14. NatureScot's Scotland's People and Nature Survey (SPANS) is the principal evidence source on outdoor recreation behaviour, values and attitudes. The most recent survey found:
    - 61% of adults in Scotland visit the outdoors for leisure or recreation at least once a week, including 17% who visit daily; conversely 21% visit less than monthly, including 5% who take no visits at all.
    - This equates to an estimated 611 million leisure/recreation visits to the outdoors each year.

- 84% of respondents said their most recent outdoor visit was motivated by health or wellbeing.
- Around two in five visits are to parks and other urban greenspace, underlining that “outdoor access” is not only a rural/wild-land issue.
- Participation varies significantly by population group. The most pronounced gaps relate to deprivation, health and, to a lesser extent, ethnicity: people in the most deprived areas (SIMD) are around 21% less likely to visit the outdoors frequently than those in the least deprived areas.

Meeting on 4 November

15. On 4 November, the Committee will take evidence from the following witnesses:

- Dr Katrina Brown, Senior Researcher, James Hutton Institute;
- Malcolm Combe, Reader in Law, University of Strathclyde; and
- Professor Peter Higgins, Environmental and Sustainability Education, University of Edinburgh, NatureScot Board Member

Clerks to the Committee

October 2026