



Scottish Canoe Association

Access Information for Event Organisers

Introduction

Canoeists are now benefiting from statutory rights of access that came into effect in Scotland on 9th February 2005. These rights to land and inland water are contained in the Land Reform (Scotland) Act 2003 (the Act), and the associated responsibilities are explained in the Scottish Outdoor Access Code (Code).

The Scottish Canoe Association (SCA) has produced a “Paddlers’ Access Code” leaflet that explains the main principles of the Act and Code, and we encourage every paddler to read this leaflet.

The Paddlers’ Access Code cannot go into the specific detail of further access information required by the organisers of competitive canoeing events, so this guidance is in response to the requirement for that kind of guidance.

The right to paddle a canoe on a river or loch does not extend to a right to park cars on privately owned land or to erect a refreshments tent in a field. It is important that the necessary access arrangements have been agreed in advance of the event to ensure there are no problems on the day. Depending on the nature of the event, an organiser may need to work with a land manager, or group of land managers, in order to negotiate an agreement for the kind of activities that you wish to carry out. As well as land managers it may be necessary to contact the Access Authority (local authority or national park authority) Access Officer. A web link to a list of Access Officers is given at the end of this guidance.

The generic term “land manager”, which is used throughout this document, is intended to cover a wide range of people that you may need to liaise with. The land manager could be the landowner, representative of the landowner such as factor, manager or tenant farmer, the owner or manager of the water or the power company that controls the water.

The Scottish Outdoor Access Code

The Code gives a few relevant lines of advice, which we have indicated in *italics* below. The following lines are shortened to draw out the references to canoeing.

Paragraph 2.7. Page 9. What you can do under access rights.

Recreational purposes is taken to include: active pursuits such as canoeing; and participation in events such as canoeing competitions.

This means that someone canoeing, either for recreation or in an event does so within the new statutory rights of access.

Paragraph 3.60. Page 47. Events.

Events are held for a wide range of purposes. (Group outings by club members are not classed as events). 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.*

In chapter 5 (page 74) of the Code under the heading of Canoeing, Rafting, Rowing and Sailing the following line of advice is given:

On rivers or other confined waters, await a signal from the angler or ghillie to proceed if they have a line in the water and follow any suggested route they indicate if safe and practicable to do so.

Whilst this is reasonable advice to recreational and touring paddlers it is not relevant to a paddler in a competitive situation. It is important therefore, that the land manager is aware of your event so that any anglers on the water at the same time can be made aware that paddlers will be taking a racing line and will not be seeking a suggested route before proceeding.

Whilst we do not have space here to cover every relevant section of the Code, the sections listed above are the main ones to be aware of. Event organisers should also read and be familiar with paragraph 3.61 on pages 47 to 48; paragraph 4.22 on pages 65 to 66; and the rest of the Canoeing section on pages 74 to 75.

To download a copy of the Code visit www.outdooraccess-scotland.com or to obtain a hard copy from SNH Publications call 01738 444 177.

Event Organisers' Considerations

One of the principles of organising any event in the outdoors is that the amount of notice given to the land manager should be proportional to the scale of the event. So, whilst it may be reasonable to ask if you can set up a refreshments tent on a river bank

in 2 months time for a very small event, this would be insufficient time to negotiate the hosting of a large festival with 300 participants.

Many events require car parking, toilets, some kind of event headquarters, refreshments tent, and start and finish markers and so on. In most cases it would be reasonable to commence negotiations with the relevant land manager(s) several months in advance. As well as wanting to advise you on the best places to site these facilities, the land manager may want to influence the date of your event. For instance, a land management operation or angling competition may mean that the land manager would prefer you to move your event a week or two earlier or later. That kind of suggestion a whole year in advance could be a reasonable request that you should be able to accommodate.

Most canoeing events tend to be held annually and most organisers already have a good working relationship with the land manager(s) of the site(s) they use. This way of working should not change because of the introduction of the Act and Code. Most organisers of annual events will be discussing next year's event with the land manager the moment this year's event is cleared away, if not earlier. The best way of organising an event, and protecting the good name of our sport, is to develop a good ongoing relationship with land managers and to always give plenty of notice of your intentions and to react quickly whenever there is a problem.

The dates of certain national and international events depend on a wide range of factors outwith the event organiser's control, and it is not always possible to commit to a particular date a whole year in advance. Where this is the case it is important to explain the situation to the land manager and to build the necessary flexibility into your agreement. This already happens at a number of locations, but if you are organising a new event that may require such flexibility it will be important to raise it with the manager at an early stage in your negotiations.

It is important to check at an early stage whether you have identified all the land managers that you will need to contact. For instance, if all the land-based facilities you require are on the same side of a river you will be in contact with the manager of that bank to carry out the necessary negotiations, but it could be easy to overlook the manager of the far bank who may have the fishing rights along the stretch of river where you are planning to hold your competition. Check with the first land manager you speak with to determine whether there are others that you should also be making contact with.

This guidance is aimed at the organisers of all canoeing events - large or small. For those specifically organising major events such as international competitions where there is a greater need than normal for uninterrupted use of a particular stretch of water the organiser could apply to the relevant access authority for a Section 11 order (under the Land Reform Act) to exclude the normal access rights to that water for a

period of up to 6 days. Section 11 orders should not be overused and access authorities will turn down applications that are considered to be unnecessary, but they are used for motor rallies, agricultural shows and rock concerts, and it would be appropriate, for example, for the running of a world championship canoe event.

It is important to consider the type and amount of toilet and changing facilities you will require. In planning for such facilities you should consider the potential risks to human health and the need to avoid causing shock or distress, especially to those not involved in canoeing.

Many events require the assistance and good will of local residents and businesses. The use of a hotel car park, hiring of equipment from a sports club and notification to the Police are all examples of the type of local arrangements you are likely to have to make, and the basic courtesy of letting local residents know about the event is always worth doing. Simple acts like placing a "Do not climb over the wall" sign can make a big difference to the way a local community remember your event. Always make a list of "Things to do better next year" during or at the end of your event.

Attention to detail when planning events is always useful and it is worth bearing in mind that litter left behind after an event is quite often how that event will be judged, so always go round at the end of the event and pick up any litter. It is always going to work out cheaper to organise your own litter collection than it is to pay a commercial rate to a local authority or private contractor, so work out in advance how you are going to do it. Always leave the site tidier than when you arrived.

The organisers of surf events often have to switch venues and/or dates at the last minute due to the vagaries of suitable surf. Surf event organisers are used to this kind of planning and need to negotiate a degree of flexibility with the land managers they deal with.

It is important to accept that as well as impacting on land managers, your event may have an impact on other recreational, educational and commercial users of the countryside. Such impacts may be on other types of canoeists, or could be on other activities such as rafting, rowing, sailing, waterskiing, windsurfing or walking. Try to predict these impacts and work out how you can reduce the effect you will be having on somebody else's activity by communicating with the relevant people. For instance, if playboaters are aware of the timing of a wild water race they are more likely to know when to take their lunch break and avoid getting in the way of racing boats. Communication can be made with other paddlers via the SCA website and Scottish Paddler; and those involved in other activities can be contacted via their national bodies' and club structures.

The use of informative access signage has been encouraged since the Act came into force, especially to communicate information about land management or recreational

activities that are about to take place or which are in the course of taking place. Whilst a farmer might place a temporary sign in a field during the lambing season, a canoe event organiser might wish, with the land manager's consent, to erect a sign to raise awareness of a forthcoming event. Such a sign might be to alert local dog walkers to the fact that a slalom event will be taking place the following weekend, or it may be to alert playboaters to the fact that a wild water race is coming up in a few weeks time. Standard format signs can be downloaded from the www.outdooraccess-scotland.com website or you can make your own signs. Signs are not a necessary part of organising an event, but in certain circumstances you may feel that it would help to convey a message in advance of the event in this way.

Most events are for a specific type of canoeing activity (slalom, wild water race, marathon, etc) but canoeing can form part of a wider triathlon or adventure race. This guidance should be considered when organising such events and organisers should aim to enhance the good name of our sport by following these guidelines, especially in terms of allowing sufficient time to negotiate effectively with land managers.

If you feel your plans to organise an event are being unfairly obstructed by a land manager you should seek advice from the SCA Access and Environment Officer and the Access Authority Access Officer, and perhaps, at a later stage the Local Access Forum.

The access system in Scotland is based on having rights that are to be exercised responsibly. Responsibility extends to making responsible judgements when organising an event and that includes judging the scale of your event and making appropriate and timely contact with the land manager(s).

For further help and advice contact:

The SCA : office@canoescotland.org

A list of Access Authority Access Officers can be found at:
<http://www.outdooraccess-scotland.com/default.asp?PageRef=1.2.>

The Watersports representative on the Local Access Forum: Contact via the SCA Access and Environment Officer.

The Institute of Fundraising has produced some very useful [Guidelines for Outdoor Fundraising](#).

If you are having problems finding the relevant manager for a piece of land you could contact:

The Scottish Government Rural Payments and Inspections Directorate website at: <http://www.scotland.gov.uk/Topics/Agriculture/AOcontacts/contacts> and enquire with the relevant area office.

See also the [Who Owns Scotland](#) website.

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Access Information for Event Organisers

Summary checklist for event organisers

Organisers of canoeing events should read the full version of this guidance and refer to it during the run up to their event. However, this one-page summary has been written to provide a quick reference version that you can keep reading to check you are remembering all the points that you should be covering.

- Be familiar with the Scottish Outdoor Access Code and the SCA's Paddlers' Access Code.
- Consider the scale of your event and the facilities and services you will require.
- Allow sufficient time for negotiating with land managers when organising an event.
- Make sure you contact all the relevant land managers, including ones on the other side of the water.
- Consider who else you need to liaise with, e.g. local authority Access Officer, power company, Scottish Natural Heritage, local businesses and residents.
- Consider the impact your event will have on those involved in other forms of canoeing, or in other types of recreational, commercial or educational activities, and think about how you can communicate with the people who may be affected.
- Consider the toilet and changing facilities you will require in order to avoid potential health risks and causing shock to other people in the area.
- Plan for a thorough litter collection at the end of your event and ensure that you leave the site tidier than when you arrived.
- Consider the need for signage to inform other groups who use that area about your event.
- When planning a national or international level event you may wish to seek advice about applying to the relevant access authority for a Section 11 closure order for the piece of water on which the event is taking place.
- Consider what arrangements you need to make with members of the local community.
- Make a list of "Things to do better next year".
- Organisers of multi-activity events that include an element of canoeing, such as triathlons and adventure races, should also follow this guidance.
- Remember that one of your responsibilities as an event organiser is to make responsible judgements during the planning and running of your event, so consider this guidance and keep referring to it during the run up to your event.
- Contact the SCA Access and Environment Officer for more detailed advice on any of the issues raised in this guidance.