

SHETLAND Outdoor Access Strategy



2019



SHETLAND Outdoors



DID YOU KNOW?

Shetland has 460km of Core Paths & 60km of Access Routes.

That's 520km of paths to enjoy over 160 separate routes.

That's 650,000 steps or, 65 days worth of your daily steps.

All inspected at least once annually.

On average 2 new routes are developed each year.

ACCESS STRATEGY



Visiting Brochs, Lochs and hilltops.



1697 miles of coastline
100+ Islands



You'll find them from Fair Isle to Fetlar & Whalsay to Foula.



Free to use 24 hours a day
and 365 days a year.



Visiting wild National Nature Reserves & family friendly wanders.



CONTENT

1. OVERVIEW

2. INTRODUCTION

- 2.1 Background
- 2.2 Legislation and National Guidance
- 2.3 Local Strategies, Policies and Surveys
- 2.4 Access and Recreation Needs

3. KEY THEMES

- 3.1 Access for All
- 3.2 Local Access Forum
- 3.3 Scottish Outdoor Access Code

4. ACCESS CONSTRAINTS AND POTENTIAL OPPORTUNITIES

- 4.1 Community Networks
- 4.2 Enclosed Agricultural Land
- 4.3 The Coast
- 4.4 The Open Hill, Burns and Lochs
- 4.5 Reserves and Designated sites, Visitor Management
- 4.6 Long Distance Routes
- 4.7 Development Planning
- 4.8 Promotion and Awareness

5. IMPLEMENTATION

6. REVIEW

7. APPENDIXES

- 7.1 Appendix A
- 7.2 Appendix B



Outdoor Access partners

Shetland Anglers Association



Shetland Amenity Trust



SHETLAND CORE PATHS PLAN



1. OVERVIEW

The Shetland Countryside Access Strategy 2005 set out the intention of Shetland Islands Council to improve access to the fantastic mix of coastline, fertile farmland and the open hill which is one of Shetland's greatest assets. In many respects this has been extremely successful. However, with changes in legislation, demands for higher levels of provision and financial pressures (both internal and external) there are still many challenges to be met.

In the 14 years since the Strategy was published there have been many changes in law, policy and funding that have both positive and negative effects on the ability of the Council to develop and promote access to the countryside. Additionally Shetland now forms a UNESCO Global Geopark due to its unique landscapes and geology.

The 2005 Strategy considered three key elements:

- routes that were already promoted
- development of a strategic long distance route
- community networks

The first element of routes that were already promoted has been well addressed with all of the core paths and access routes that the Council is responsible for being now open to uninterrupted access by walkers with them also waymarked and with information maps panels where they leave the road. New access routes continue to be added to our portfolio annually with many having the potential to become core paths in future core paths plan reviews. The challenge is now for a higher level of provision to support the wishes of the less able, mountain bikers and horse riders in addition to effectively promoting and raising the public's awareness of these routes and the [Scottish Outdoor Access Code](#).

The second element, The Shetland Coastal Path project, sought to develop a continuous interpreted route along the coast, largely based on existing routes; there has been little progress on it. An end to end 'Shetland Spine Route' has also been investigated with the potential of major funding from LEADER. Unfortunately, various options of developing a long distance route in Shetland have been un-successful to date despite interest in the possibility, due largely to staffing and financial limitations. Current avenues for major funding tend towards active travel and community links for shared use rather than recreational opportunities in remote areas.

The third element, community networks; the development of networks near where people live to provide increased opportunity for people to improve their health through exercise is still an important element. The Community Network plan was to upgrade existing routes and construct 'missing links' where necessary to create a network that will be waymarked and promoted locally. There has been some success with this through projects with the NHS (Health Walks), community groups and developments though much work is still needed to provide for the missing links by working with community groups.

This revised Access Strategy aims to re-address and build on the above, whilst taking into account new legislation and the current and expected funding situation. In addition it sets out the priorities for the provision and development of access to the countryside in

Shetland. It emphasises that communication and coordination between all groups is key to the success of the proposal with a need to address and balance the legitimate concerns of land managers with conservation and recreation across the Isles.

2. INTRODUCTION

2.1 Background

This Shetland Outdoor Access Strategy sets out the priorities for the provision and development of access to the countryside in Shetland. Additional policies and proposals that support this strategy, but are contained in other policy documents, are contained within appendix A of this report.

2.2 Legislation and National Guidance

The Council's remit in relation to the countryside access is now provided by the Land Reform Act (Scotland) 2003 (Part 1, Chapter 5) which gives a general right of responsible access to all land, inland water and the foreshore and places the following principal statutory duties upon Local Authorities:

- To establish a Local Access Forum of local interest groups to advise on outdoor access issues.
- To keep open and free from obstruction any routes over which access rights may be exercised
- To prepare a Core Paths Plan

Shetland Islands Council's Core Paths Plan was developed over the period from 2004 to 2008 with lengthy consultation and approved by Scottish Ministers in September 2009. Due to some changes to core paths and the number of access routes created since then the plan is now due for a review. The intention is to commence the review process towards the end of 2019 to incorporate these changes.

In addition, a range of powers in relation to access are available to Local Authorities through the Act such as the power to maintain paths.

Public Rights of Way are subject to the provisions of Common Law and the Prescription and Limitation (Scotland) Act 1973 and the Road Traffic Act 1988 with The Equality Act 2010 giving guidance on the provision of facilities in the countryside.

The main guidance to local authorities on recreation and access is provided by Scottish Natural Heritage (SNH), specifically via the Scottish Outdoor Access Code (SOAC) of 2004 and also through the Paths for All Partnership.

Other Governmental bodies such as the Health and Safety Executive provide specific guidance in relation to the interaction between members of the public and farming activities, in particular cattle (see HSE advisory Sheet AIS17S).

The National Walking Strategy (2014) states 'our spectacular scenery, our range of green spaces (including parks), our walkable urban centres and world-class cities, our community routes, our long distance route networks and our world-class access rights all combine to give Scotland a unique set of 'walking-friendly' factors. Walking can contribute

positively to areas such as planning, regeneration, economic development, mental and physical health and wellbeing, transport, climate change and education'. Carrying on from this is 'A long-term vision for active travel in Scotland 2030' aims to 'Achieve lasting change and increase the number of people choosing to travel actively across all communities as part of their everyday lives'.

The National Planning Framework (NPF3) promotes sustainable tourism and recreation, sustainable resource management and enhanced network of long-distance paths.

Scottish Planning Policy (SPP) states that access to good quality open spaces and opportunities for sport and recreation make important contributions to a healthier Scotland and the planning system has a role in helping to create an environment where physical wellbeing is improved and activity made easier (paragraph 149).

SPP (paragraph 150) states that Authorities should ensure that there is consistency between the development plan, open space strategy, core paths plan, local transport strategy and outdoor access strategy and that where relevant, access rights and core path plans should be considered when determining planning applications. New development should incorporate new and enhanced access opportunities, linked to wider access networks. Green networks that provide opportunities for physical activity and access to the outdoors, and increase accessibility within settlements and to the surrounding countryside, should be promoted and safeguarded through the development plan.

2.3 Local Strategies, Policies and Surveys

At the local level the Shetland Islands Council Single Outcome Agreement (SOA) stated that it would 'help local communities to flourish, becoming stronger, safer places to live, offering improved opportunities and a better quality of life' and sets a target of increasing numbers walking and cycling in Shetland. This is now superseded by the [Shetland Partnership Plan \(2018-2028\)](#) which aims to make Shetland an attractive place to live, work, study and invest, which shares its goals with the Shetland 10 year Plan.

The Active Shetland Strategy (2018) sets out a strategy for people to get active and stay active and hopes 'To provide the people of Shetland with the best facilities and infrastructure possible in order for its inhabitants to lead active lives'.

The [Shetland Place Standard Survey](#) (2016) received significant comments on the need for new and improved safe cycle and walking access to promote active travel. This included both rural and urban areas, along with perceived detrimental effect of traffic speed on the safety of walking and cycling and a requirement for more seating and shelter for walkers and cyclists along key routes which is highlighted in the 2018 Shetland Transport Strategy Refresh.

Shetland's Local Development Plan (2014) – Policy CF 2 Open Space– states that 'Development proposals that adversely impact on established recreation areas identified in the Open Space Audit and Strategy, and other important open spaces that contribute to the recreational amenity or environmental quality of an area will not be supported.' A forthcoming Open Space supplementary guidance will expand on these needs.

SHETLAND Outdoors

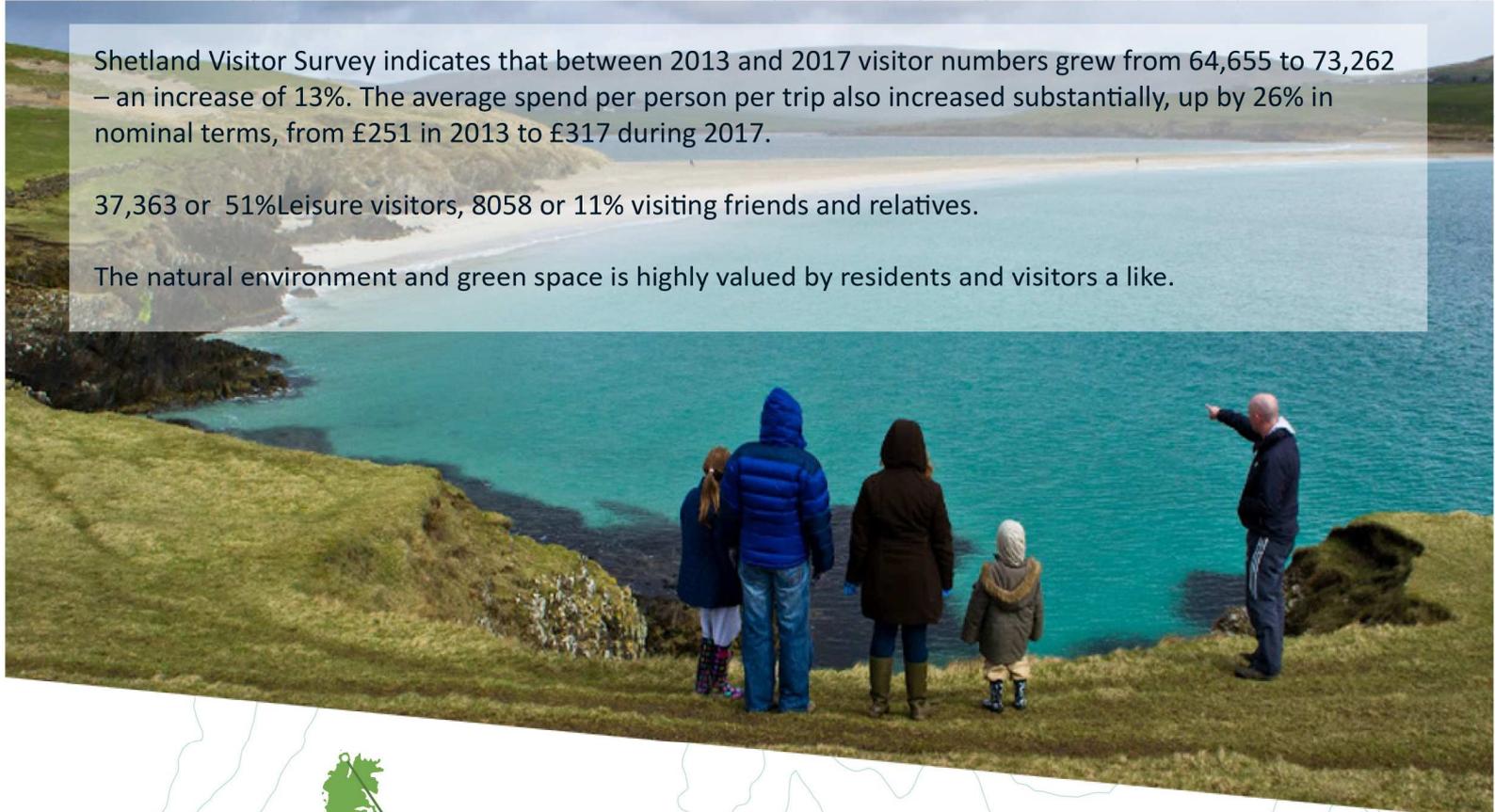
TOURISM & ENVIRONMENT



Shetland Visitor Survey indicates that between 2013 and 2017 visitor numbers grew from 64,655 to 73,262 – an increase of 13%. The average spend per person per trip also increased substantially, up by 26% in nominal terms, from £251 in 2013 to £317 during 2017.

37,363 or 51% Leisure visitors, 8058 or 11% visiting friends and relatives.

The natural environment and green space is highly valued by residents and visitors alike.

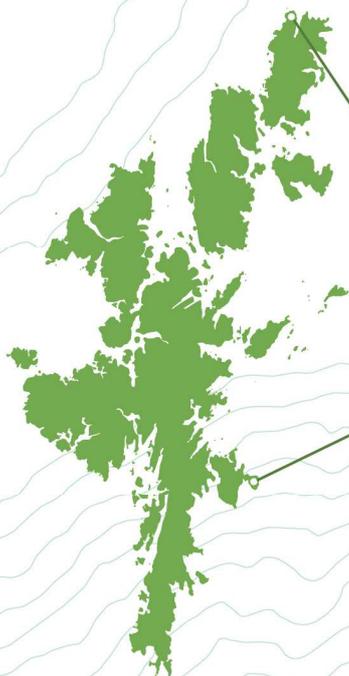


78 SITES OF SPECIAL SCIENTIFIC INTEREST (SSSI)

2 NATIONAL RESERVES (NNR)

49 LOCAL NATURE CONSERVATION SITES

OVER 24 INTERNATIONAL CONSERVATION SITES



SHETLAND Outdoors

ACTIVE TRAVEL

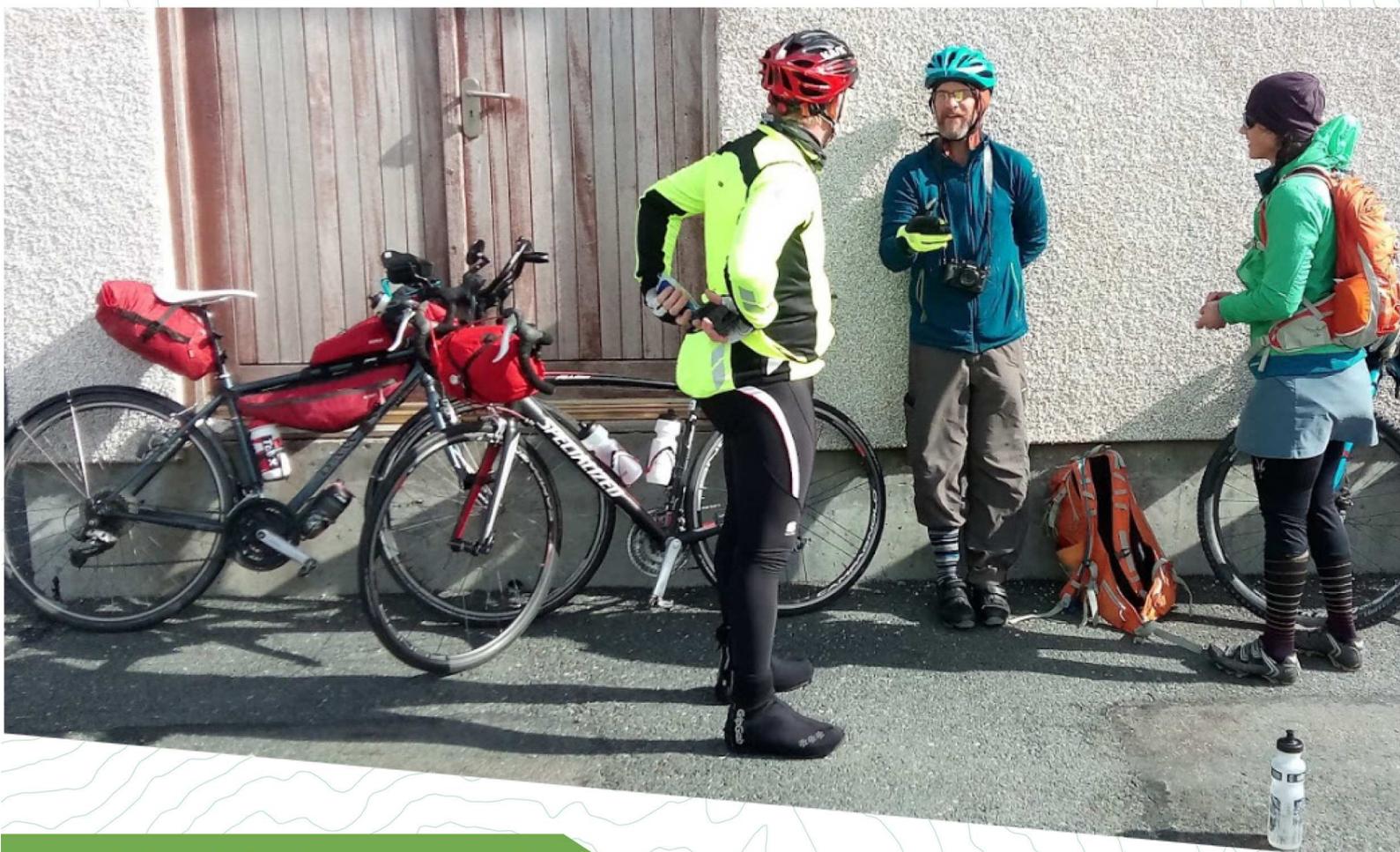


The Shetland place standard states:

Significant comment on the need for new and improved safe cycle and walking access to promote active travel – in both rural and urban areas Requirement for more seating and shelter for walkers and cyclists along key routes.

The Active Shetland Strategy makes a commitment to:

- o Improve outdoor access by promoting the development of paths and outdoor amenity areas / greenspace.
- o Engage with decision makers including community councils to prioritise active living/active travel through the design of roads, footpaths and transport policies that promote walking, cycling, wheeling and public transport.



ACCESS STRATEGY

2.4 Access and Recreation Needs

The towns, settlements and villages within Shetland are relatively small, enabling the majority of the population to get into the countryside fairly immediately. A high proportion of the visits to the countryside are short, beginning at or close to home, or where people are staying on holiday. Local access needs may include access to woodland, beaches, burns and the coast. Access to these areas, along with access to open hill areas, is popular as day trips during holiday periods and weekends, and particularly through the summer months.

There is also a high demand for access to key points of interest such as Eshaness, Fethaland and St Ninian's Isle which are remote from centres of population and are often highly publicised for their scenic, natural history or archaeological interest and are popular with both residents and visitors to the Isles.

As Scottish access laws do not differentiate between public access on foot, horse or bicycle an effort needs to be made where practicable to provide the least restrictive access possible to allow access by all these modes which should also consider the needs of the less able. However the Scottish Outdoor Access Code also places a responsibility on the user to act responsibly, therefore it would be seen as unreasonable for a user to exercise their access right, on horseback or cycle for example, where they know it would cause un-necessary damage on fragile land. Similarly, while less able, cyclists and horse riders have a right to access the countryside, it is not incumbent on the Council to develop all routes to a standard that would allow access for all though we must endeavour to do what is reasonable and practicable. Any improvements to paths needs to be carried out with the agreement of land managers who have understandable concerns for stock safety which means that stiles are often requested at the expense of preferable easier access by self-closing gates.

In Shetland, the majority of access routes are not constructed paths, they are often sheep tracks or undefined routes across the ground with way marked gates or stiles where they need to cross fences. In some cases they utilise access tracks or a peat roads, though it is rare that a track forms the whole of a route. Though it may not be desirable to develop all paths to that of a constructed surface there is a need to identify routes where this is may be appropriate both for the improved access for all and to prevent excessive erosion due to heavy usage.

Some of the concerns raised in relation to access and recreation that need to be addressed are:

- The reliance upon the private car to access 'the countryside' and the associated parking issues this can create.
- The absence of co-ordination of promotion of access to the countryside.
- The matching of provision to meet demands.
- Limited and/or disjointed path networks near where people live.
- Lack of awareness of the rights and responsibilities under the SOAC of both land managers and the public.
- Meaningful access to maps and mapping of formal routes managed by Shetland Islands Council.

Formal access to the countryside in Shetland is provided by Shetland Islands Council through Core Paths, Access Routes, which are inspected and maintained, and historical Public Rights Of Way.

- **Core Paths:** One of the duties under the Land reform Act (Scotland) 2003 was for the Council to prepare a Core Paths Plan detailing a network of core paths across Shetland to create formal access routes to the countryside. The Core Paths Plan was adopted in 2009 with 102 core paths covering 460km.
- **Access Routes:** A number of proposed core paths were deemed not to fit the criteria for core paths and were subsequently adopted by the Council as Access Routes. These are generally shorter routes giving access to lochs, coast and viewpoints without necessarily being part of an interconnecting network. Additionally a number of new routes have been recorded as Access Routes with a view to them being adopted as core paths when the core paths plan is reviewed. As of April 2018 there are 61 access routes (79km) with the portfolio being added to as and when agreements for new routes are secured.
- **Public Rights of Way (PROWs):** The council has a duty to ensure all PROWs are kept open and free of obstruction. There are a small number of confirmed PROWs across Shetland that have satisfied the criteria for their status. However there are many more potential PROWs (claimed) that are recorded, but have not yet been shown to satisfy the necessary criteria. Their confirmation or not as PROW will be dealt with as and when a threat to them exists and until that time they will be protected from any development.

The priority for the Council is to protect, develop and promote the above routes whilst looking for opportunities for further development of the network.

Proposal 1: To review the Core Paths Plan

The Council will review the core paths plan to incorporate changes to the network since 2009 and adopt new created access routes where as core paths where agreement can be secured.

3. KEY THEMES

3.1 Access for All

People seek access to the countryside for a wide variety of recreational reasons. Not all of them seek access on foot and not all are fit or capable of climbing obstacles such as stiles and steps. In order to enjoy access, many users require relatively smooth surfaces with minimum gradients and gates rather than stiles.

Provision of access for those with disabilities has been highlighted as an issue by the Equality Act 2010. Reasonable and practical steps must be taken to address this. All new projects should now take into account the needs of people with mobility issues and existing provision should be reassessed to identify ways in which it could be improved to cater for the needs of the less able. Routes that are improved for those with mobility issues are also suitable for the full range of users including those with young families. The development of an Active Travel Plan for Shetland will also go some way to identifying

addressing these needs. Disability Shetland also offer the opportunity for access to the outdoors with the chance to hire all terrain wheel chairs and an accessible boat.

Where possible the Council will promote the use of gates as the preferred means of meeting the needs and requirements of all groups be they horse riders, walkers, and disabled, elderly or young people.

Proposal 2: Access for Disabled People

The Council will assess the possibilities for improved access for people with disabilities currently afforded by promoted routes by working in conjunction with partners such as ZetTrans, NHS, Disability Shetland and the Access Panel

Proposal 3: Improve routes for all

The Council will promote the use of gates as the preferred means of meeting the needs and requirements of all groups, be they horse riders, walkers, and disabled, elderly or young people.

3.2 Local Access Forum

The Land Reform (Scotland) Act 2003 has made it a statutory duty for Local Authorities to set up a Local Access Forum.

Whilst most people would agree managing access to the countryside is desirable, there are different views on how it should be done. Walkers, cyclists, horse riders, land managers, Shetland Islands Council and other organisations with an interest in the countryside and recreation may all have different interests, concerns and priorities. The Shetland Outdoor Access Forum was formed in 2008, has been meeting 3-4 times per year and provides a practical way for everyone to work together on access to achieve mutual understanding and consensus in relation to outdoor access issues. Partners in the Access Forum include representatives of SNH, RSPB, Shetland Amenity Trust, Shetland Field Studies Group, Association of Community Councils, Shetland Anglers Association, NFU Scotland, Visit Scotland, Disability Shetland, and the Access Panel, SIC Sport & Leisure and The Shetland branch of The British Horse Society.

Proposal 4: Local Access Forum

Shetland Islands Council will continue to support the work of a Local Access Forum

3.3 Scottish Outdoor Access Code

Under the 2003 Act, Scottish Natural Heritage has produced the Scottish Outdoor Access Code (www.outdooraccess-scotland.scot) This Code details what is considered to be reasonable behaviour by both the public taking access and by land managers and it is a valuable tool in reconciling different interests.

Proposal 5: Scottish Outdoor Access Code

The Council will work with Scottish Natural Heritage in the promotion of the Scottish Outdoor Access Code. In developing access opportunities, consideration will be given to how The Code can assist in visitor management.

4. POTENTIAL DEVELOPMENT OPPORTUNITIES

4.1 Community Networks

There exists a strong and largely unmet demand for local access to the countryside, close to where people live. Whilst some confident, adventurous or knowledgeable individuals in each area may be aware of a range of off-road routes to walk, cycle or ride, most are not aware of the full extent of existing opportunities, or are unable to take full advantage of them. Many are also uncertain of what is commonly known as their 'right to roam' and prefer a more formalised path to follow. There is a strong need for a network of routes around each settlement that:

- Are safe and instil confidence in those using the routes
- Form a range of route options that enable circular walks of a variety of lengths
- Provide for a range of user types including walkers, cyclists, horse-riders and disabled people
- Are suitably signposted, way marked and promoted to encourage public usage
- Link the larger settlement path network and areas of open space for informal access
- Connect into existing routes, shared use routes and the National Cycle Route where possible

Proposal 6: Community Participation

The Council and its partners will engage with communities to identify their priorities for action in their areas, giving them technical advice and support where they need it and ensuring that landowners and farmers are consulted and content with what is proposed.

4.2 ENCLOSED AGRICULTURAL LAND

Enclosed agricultural land is the land use that most commonly abuts settlements. In Shetland this land is often the most fertile and therefore the most important to the agricultural economy. Of all land uses it is probably the most difficult to reconcile with open access. The possibility of damage to crops and disturbance to livestock can lead to the general public being unwelcome in such landscapes. This, together with a somewhat limited public understanding of both farming practice and their own rights, often discourages the public from taking access.

It is considered that the most widely used means of access to enclosed agricultural land should be through linear access by the creation of community route networks.

The Scottish Outdoor Access Code will be a valuable tool in promoting mutual understanding between land managers and those accessing enclosed land. In areas of enclosed farmland access via defined routes is favoured as a means of catering for recreational users as it allows better management of those visiting the area. Consultation with those who rely on the land for a living will be paramount in developing new routes or improving existing routes.

Proposal 7: Route Development and Agriculture

The Council and its partners will seek to protect the needs and the requirements of those who work the land when considering the development of access opportunities and will endeavour to accommodate their wishes where possible and feasible. Appendix B details some of the specific needs and requirements that require to be addressed.

4.3 THE COAST

With its mixture of dramatic cliffs, scenic vales and sandy beaches, the coastline of Shetland is one of our greatest assets and the general public perceive that they have a right of access to the coast. This includes everything seaward of cultivated or enclosed land. This “zone of recreation” can be narrow along some cliff tops or can be relatively broad particularly on sandy stretches of coast with associated sand dune complexes. There is also a desire for access at certain points for water sports such as kayaking and windsurfing.

Whilst sections of the coast do contain public rights of way and linear paths, much of the use of the coast is exercised as open access for picnics, swimming, sunbathing, children’s play and dog-walking. Walking is not always on defined paths; the beach itself is often used as part of informal circular walks.

Only relatively short sections of the coast has a recognised path along it. However, access along large sections of the coast is promoted in various publications, leaflets and websites outside of the Council’s control. These routes need improving and formalising to benefit both the landowner and the user. In most cases minor improvements could raise the confidence of users and improve visitor management to the benefit of those who rely on the land for their livelihood.

Proposal 8: Coastal Route Improvements

The Council and its partners will work with communities and landowners to create better formal access to Shetland’s coast.



Houss, East Burra

4.4 THE OPEN HILL, BURNS AND LOCHS

Unenclosed hill land is perhaps the category that raises greatest passion with regard to the debate about the alleged “right to roam”. Such landscapes appear to meet society’s need for a link to wilderness.

Whilst users may follow informal paths in part, and occasionally public rights of way, open access is commonly taken. The nature of farming and crofting can make such areas highly suitable for open access. But there is the need for education of those accessing these areas, particularly with dogs, to ensure they are aware of the needs of farmers and crofters. These areas may, at times, appear barren or empty but they have an important role in agriculture and nature conservation.

Access to the open hill poses some problems with regard to fencing and apportionment. Fences are required for stock management, but are seen as a barrier to those accessing the open hill. This issue is not insurmountable and can be addressed by the introduction of measures such as self-closing gates or stiles to facilitate access. Better education and management of those visiting the open hill land will result in meeting the concerns of the crofting community. It is felt that implementation of the proposals contained in this strategy will benefit all those involved with the open hill. Of particular concern is the control of dogs and we will attempt to address this concern; again, education is a key element. Proposals 6, 7 and 8 have an important role in addressing the issues regarding access to the open hill.



Ronas Hill, North Mavine

Away from the coast, access to burns and loch sides helps to satisfy the human desire to be beside water and the use of a boat can enable access to places not easily accessible on foot.

Whilst the activities are similar to these undertaken on the coast there may be a greater use of informal paths due to the absence of a beach.

Gaining access to burn and loch sides often involves crossing enclosed agricultural land with the associated problems outlined above. Again there is a need to work closely with those who work the land and consider their requirements. Proposal 6 above is paramount when developing access to the countryside. Proposal 7 above is also relevant.

Shetland holds 40 percent of the United Kingdom's population of red-throated diver and this population is declining. These birds nest close to the edge of the loch or on islands in freshwater lochs. If disturbed, their eggs or young may be taken by bird predators. Enhanced visitor management should ensure that recreational users would not have a detrimental effect on the red-throated diver and other breeding species. There is a need to educate the visitor to ensure that they do not cause disturbance to the breeding bird life throughout Shetland.

Proposal 9: Sensitive breeding sites

The Council will endeavour to promote responsible access in relation to sensitive breeding sites at certain times with the guidance of local organisations.

Proposal 10: Dogs in the countryside

The council will endeavour to raise awareness of the problems irresponsible dog control causes via various media and advisory signage.



4.5 RESERVES, DESIGNATED SITES AND VISITOR MANAGEMENT

Shetland is a UNESCO Global Geopark and within that there are many designated sites in Shetland for nature, archaeological, cultural, and geological conservation. There are also RSPB and SNH reserves and other sites where, for ecological reasons, there may need to be some control over where visitors go. Appropriate route development and promotion coupled with education of the visitor is the key to developing adequate visitor management in these areas.

The wider rural areas can also benefit from visitor management. There are areas on farms from which visitors should be directed away, be it for animal bio-security or health and safety reasons. Knowing where people are likely to be reduces the need for concern by crofters and farmers. Promoting a better understanding between those visiting the countryside and those working there will create benefits for all parties.



There is an opportunity to develop a system of visitor management and education that is low key but benefits all parties. The proposal and policies of this strategy will result in enhanced visitor management and improved education.

Visitors to the countryside will be responsible for their own actions. However, not all people behave in the same responsible manner and in some areas visitor management will be more formal than in other areas. Access to enclosed agricultural land is normally best achieved by means of linear routes for the comfort of the public and ease of land management. This same level of management is often required at designated sites whether historical, cultural or ecological. Indeed there may be times throughout the year when it would be preferable if there were no people in a particular area, be this for land management or ecological reasons. These reasons need to be explained to the visitor and alternative areas suggested.

Additionally biosecurity is an important factor in many of Shetlands Islands and we support the work of RSPB Scotland and other organisations in promoting biosecurity measures. Walkers, cyclist and kayakers should check loads and bags for stowaways, pay attention to how they handle cargo and use rope guards on vessels.

Proposal 11: Shetland's natural history

The Council will consult with SNH, Shetland Amenity Trust, RSPB Scotland and other partner organisations when developing new access routes to minimise any conflict of interest with sensitive flora and fauna.

Proposal 12: Management of sensitive access

The Council will consider informal restriction of access to sensitive sites at certain times, providing alternative access can be provided.

4.6 DEVELOPMENT OF LONG DISTANCE ROUTES

As a consequence of the work detailed above, it is hoped that the development of long distance routes is a distinct possibility. It has been an aspiration for some time by many to develop and promote a long distance route the length of Shetland with stages on Mainland, Yell and Unst. Long distance routes could also be developed from East to West. However along with a continuous Shetland coastal route these are perhaps long term strategic goals that can be achieved through other policies and proposals detailed in this strategy.

Challenges in developing these routes will largely be due to securing agreements from the multitude of land managers and land owners along with securing the necessary staffing and financial resources to accomplish it.

Proposal 13: Development of long distance routes

The development of nationally promoted, locally managed long distance routes that are of high quality is supported as a long term strategic goal.

4.7 DEVELOPMENT PLANNING

Demand for new development, such as housing, business and industry, can result in changes to land that was previously undeveloped or used for agriculture. It is therefore important that new development needs are balanced with the need to maintain outdoor access. Opportunities to identify, protect and improve access routes and amenity within and between developments should be investigated as part of the planning process. To support this Scottish Natural Heritage has published 'A Brief Guide to Developing Outdoor Access Plans' for developers. Major developments will be asked to provide an Outdoor Access Plan showing how the needs of non-motorised connectivity can be met and how loss of amenity by the development can be mitigated.

Appendix A contains a [link to a guide for preparing outdoor access plans](#).

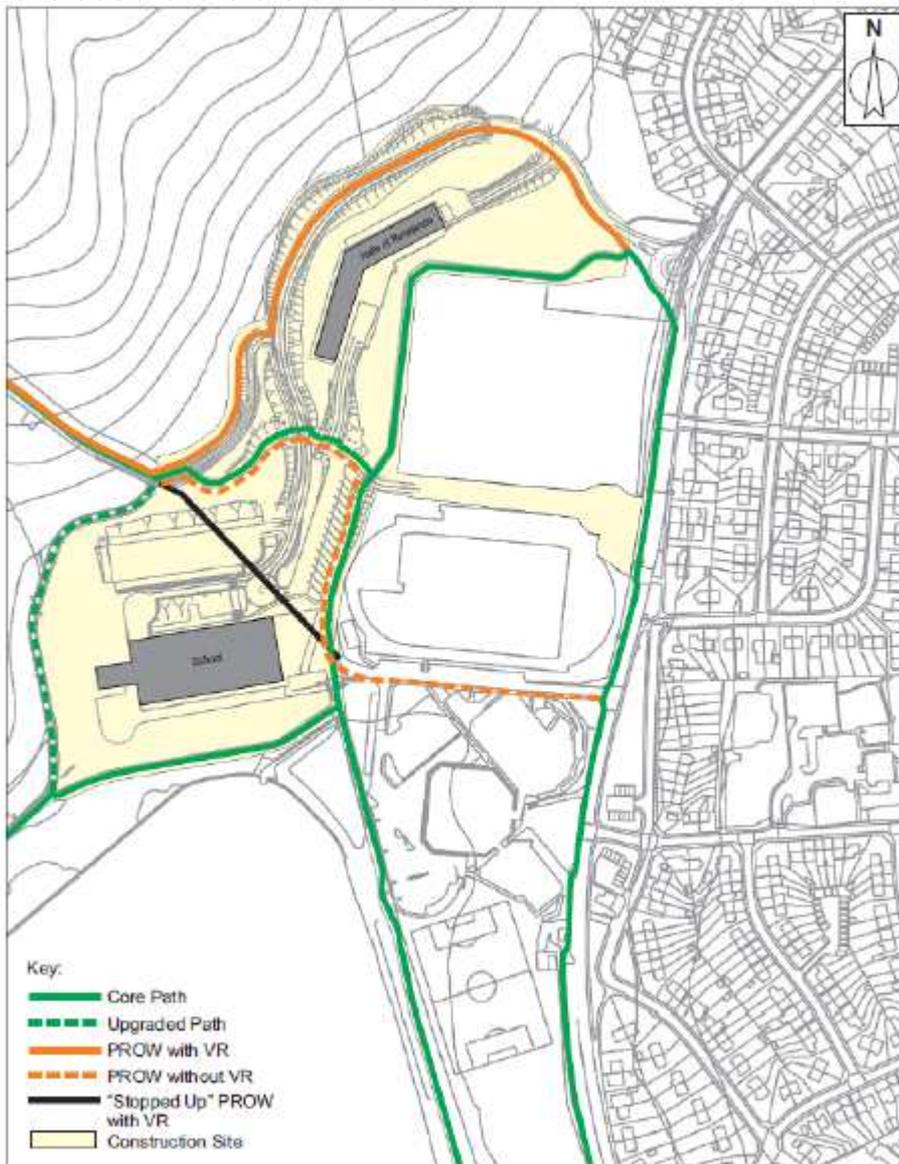


Illustration 4 – Key paths and routes associated with the completed development

Excerpt from Anderson High School Access plan 2015

Proposal 14: Outdoor Access Plans

The Council will seek reasonable opportunities from major developments to improve and create, manage and maintain non-motorised access through the planning process by asking for an Outdoor Access Plan and welcome the opportunity to work with developers at the earliest stages to facilitate and integrated solution to access within and between developments.

Proposal 15: Outdoor Access Planning in the Local Development Plan

The council will work towards including an appropriate policy in the Local Development Plan with regards to Outdoor Access Plans and major developments in order to facilitate integrated non-motorised access and amenity within and between developments.

4.8 PROMOTION AND AWARENESS

The Council maintains a Core Paths Plan showing formal access routes to the countryside which have been adopted after consultation with various organisations, land managers and land owners. They also manage a network of Access Routes that give formalised access to loch, viewpoints and the like. However these routes do not currently show on Ordnance Survey maps as Public Rights Of Way would do in England and Wales. The only ready access members of the public have to these records and maps is via the Council's website.

Additionally there are many independent guides; books, leaflets and websites to walking in the Shetland Isles. Unfortunately many of these more readily accessible and heavily promoted walks often do not coincide with the routes that have been developed and are inspected and maintained by the Council. This duplication causes confusion and annoyance in both the general public and land managers with land management issues, obstructions and a lack of clarity in terms of who is responsible for what.

There is also an issue that while many land managers are co-operative with improvements to Core Paths by the Council, as it helps with their land management and protects fences, they do not necessarily wish to see routes promoted. They often see promotion as attracting trouble in the form of irresponsible parking and a higher risk of disturbance to stock.

There needs to be a way to move forward to bring together the disparate stream of access where feasible and to responsibly promote access to Shetlands wonderful countryside. Promote Shetland currently promote a range of key core paths and access routes digitally via their shetland.org website which could be added to over time.

27 walks found

Fair Isle - The South



Strandburgh Ness Circular



Sandvoe to Uyea Circular



Excerpt from Shetland.org walks website

Proposal 15: Strategic Promotion of Access Routes

The Council will work with partner organisations to investigate ways to promote a coordinated network of countryside access across Shetland to a wider audience with consultation with land managers and land owners.

Proposal 16: Availability of information

The Council will investigate ways of enabling easier access to information showing and promoting formal access routes across Shetland.

Proposal 17: Utilise digital resources

The Council will investigate ways of utilising digital and social media resources to promote and market responsible access to the countryside.

5. IMPLEMENTATION

The implementation of the proposals contained within this strategy will make demands on people's time within the Council, other agencies and the wider community and will require sufficient financial support for both the time and physical improvements of routes. With increased route development comes a need for increasing budgets and staff resources to both maintain and develop the network. The availability of staff and resources will ultimately dictate whether proposals are implemented and at what rate. This strategy does not attempt to quantify the time inputs required and so the implementation timetable below should therefore be regarded as indicative. The order in which these proposals are presented does not reflect any order of priority.

Proposal	Implementation partners
Proposal 1: To review the Core Paths Plan The Council will review the core paths plan to incorporate changes to the network since 2009 and adopt new created access routes where as core paths where agreement can be secured.	SIC, Access Forum,
Proposal 2: Access for Disabled People The Council will assess the possibilities for improved access for people with disabilities currently afforded by promoted routes by working in conjunction with partners such as NHS, Disability Shetland and the Access Panel	SIC, Disability Shetland, Access Panel, NHS, ZetTrans
Proposal 3: Improve routes for all The Council will promote the use of gates as the preferred means of meeting the needs and requirements of all groups, be they horse riders, walkers, and disabled, elderly or young people.	SIC
Proposal 4: Local Access Forum The Council will continue to support the work of a Local Access Forum	SIC
Proposal 5: Scottish Outdoor Access Code The Council will work with Scottish Natural Heritage in the promotion of the Scottish Outdoor Access Code. In developing access opportunities, consideration will be given to how The Code can assist in visitor management	SIC, SNH, SAT, Promote Shetland, Visit Scotland
Proposal 6: Community Participation The Council and its partners will engage with communities to identify their priorities for action in their areas, giving them technical advice and support where they need it and ensuring that landowners and farmers are consulted and content with what is proposed.	SIC, SAT, Community Councils and groups, Access Forum

<p>Proposal 7: Route development and Agriculture The Council and its partners will seek to protect the needs and the requirements of those who work the land when considering the development of access opportunities and will endeavour to accommodate their wishes where possible and feasible.</p>	SIC, SNH, SAT, NFUS
<p>Proposal 8: Coastal route improvement The Council and its partners will work with communities and landowners to create better formal access to Shetland's coast</p>	SIC, SAT
<p>Proposal 9: Sensitive Breeding Sites The Council will endeavour to promote responsible access in relation to sensitive breeding sites at certain times with the guidance of local organisations.</p>	SIC, RSPB, SNH, SAT
<p>Proposal 10: Dogs in the countryside The council will endeavour to raise awareness of the problems irresponsible dog control causes via various media and advisory signage</p>	SIC, RSPB, SNH, SAT, NFUS
<p>Proposal 11: Shetland's natural history The Council will consult with SNH, Shetland Biological Records Centre and other partner organisations when developing new access routes to minimise any conflict of interest with sensitive flora and fauna.</p>	SIC, RSPB, SNH, SAT
<p>Proposal 12: Management of sensitive areas The Council will consider informal restriction of access to sensitive sites at certain times, providing alternative access can be provided.</p>	SIC, RSPB, SNH, SAT, Access Forum
<p>Proposal 13: Development of long distance routes The development of nationally promoted, locally managed long distance routes that are of high quality is supported as a long term strategic goal.</p>	SIC, SAT, Communities, Access Forum, Visit Scotland
<p>Proposal 14: Outdoor Access Plans The Council will seek reasonable opportunities from major developments to improve and create, manage and maintain non-motorised access through the planning process by asking for an Outdoor Access Plan and welcome the opportunity to work with developers at the earliest stages to facilitate and integrated solution to access within and between developments.</p>	SIC
<p>Proposal 15: Outdoor Access Planning in the Local Development Plan The council will work towards including an appropriate policy in the Local Development Plan with regards to Outdoor Access Plans and major developments in order to facilitate integrated non-motorised access and amenity within and between developments.</p>	SIC
<p>Proposal 16: Strategic promotion of access routes The Council will work with partner organisations to investigate ways to promote a coordinated network of countryside access across Shetland to a wider audience with consultation with land managers and land owners.</p>	SIC, Promote Shetland, Visit Scotland, SAT, NHS

<p>Proposal 17: Availability of information The Council will investigate ways of enabling easier access to information showing and promoting formal access routes across Shetland</p>	SIC, Promote Shetland, Visit Scotland, SAT, NHS
<p>Proposal 18: Utilise digital resources The Council will investigate ways of utilising digital and social media resources to promote and market responsible access to the countryside.</p>	SIC, Promote Shetland, Visit Scotland, SAT, NHS

6. REVIEW

This strategy has been prepared in the context of the Council's current duties and powers. The majority of projects undertaken on access to the countryside rely upon significant funding and good will to make them viable. At the time of writing there are significant financial constraints both locally and nationally with the focus on much funding being towards active travel rather than recreation.

Whilst this strategy takes account of current and anticipated partnership opportunities, these will inevitably change as the priorities of partners evolve through time.

Many proposals of the document are ongoing and of an advisory and consultative nature, those that involve more physical improvements and securing of access agreements will develop over a longer period of time when funding and agreements are agreed. Therefore, with no new access legislation on the horizon it is envisaged that a 5 year review period for the Shetland Access Strategy will be sufficient to both show progress and take account of future developments.



Gloup Ness, Yell

APPENDIXES

7.1 Appendix A

Statutory and other non-statutory documents and strategies that relate to countryside access in Shetland.

- Scottish Outdoor Access Code – www.outdooraccess-scotland.scot
- SNH's A Brief Guide to preparing an [Outdoor Access Plan 2010](#)
- Shetland Local Development Plan (LDP) 2014
- Shetland Place Standard 2016
- Shetland Partnership Plan 2018-28
- Shetland Tourism Strategy 2018-2023
- Active Shetland Strategy 2018
- Shetland Local Transport Strategy 2018 – particularly those policies relating to walking, health, road safety and social inclusion.
- Shetland Islands Council Corporate Plan - particularly those policies relating to social inclusion, education and the arts, sustainable development and community planning.
- Active Shetland Strategy 2018
- Shetland Cultural Strategy - Promote access to and understanding of Shetland's natural environment
- Shetland Interpretive Plan – access improvements to sites of interest
- The National Walking Strategy (2014)
- A long-term vision for active travel in Scotland 2030
- National Planning Framework 3 (NPF3)
- Enjoying the outdoors- SNH
- National Path Policy- SNH
- Scotland's Physical Activity Strategy 2008

7.2 APPENDIX B

Route Development with regard to enclosed agricultural land

- Access route: The favoured means by which non-motorised access to the countryside is exercised is via the developed, promoted access routes and Core Paths. These will have a greater level of visitor management which is to the benefit of the agricultural industry.
- Agricultural machinery: the use of modern agricultural machinery poses significant health and safety issues and access should be restricted to areas when the machinery is in use. Access to where machinery is stored in the open should be discouraged and alternative routes identified.
- Bio security: Separation fields require to be noted and their importance addressed when developing access.
- Wild Camping: campers should approach the farmer or crofter to ask for permission or direction to a suitable site where possible. Camping is not permitted in areas used for the production of feed or crops.
- Disease Control (Scotland) Order; Quarantine areas and isolation areas are highlighted and access to these areas is discouraged.
- Dogs: Education is a key element in achieving this, dog fouling and the resulting contamination of livestock and crops needs to be addressed and can be achieved through education. Similarly dog owners need to be aware of the impact an uncontrolled dog can have on livestock; this goes beyond the obvious example of savaged livestock, and includes the stress induced in ruminants from being pursued by dogs, and the implications for young and less hardy animals. Where there are cattle, particularly with calves, consideration needs to be given to providing a route avoiding them if land management constraints mean they cannot be kept away from known public access. Finally, dogs can have a serious impact on ground-nesting birds, either through disturbance or devouring eggs and/or nestlings. It is recommended that dogs are kept on a lead at all times.
- Educating the public is a key factor. Educating and fostering understanding on the part of all sides to work together to solve issues is a key element. To do nothing is not an option.
- Health and Safety: The Health and Safety Executive produce many guidelines for safe farming practices. Of particular note is AIS17S which refers to best practice for keeping cattle in places where public access is likely.
- Lambing and calving: During lambing and calving time access to the parks and areas where these activities take place will be restricted. There is a need to educate the wider public in the requirements of the industry and where possible provide alternative routes for people to follow.

- **Liability:** In developing an access route an appropriate risk assessment will be undertaken to ensure that the route is free from unforeseen dangers. In the case of existing promoted routes where there appears to be a safer alternative route this shall be developed in agreement with the landowner/tenant/farmer. The Shetland Islands Council is only liable for the maintenance of structures which it has installed and these are inspected on a regular basis.



South Harbour, Fair Isle

Contact:

Development Plans
Development Services
8 North Ness Business Park,
Lerwick,
Shetland,
ZE1 0LZ

Email on: development.plans@shetland.gov.uk

Phone on **+44 (01595) 744293**



Shetland
Islands Council