

Landowners are urged to follow hill tracks guidance



By
Anne Gray
 annegray@scottishlandandestates.co.uk

Tim Baynes
 tim.baynes@scottishlandandestates.co.uk

In spring 2013, we reported on the decision by Planning Minister Derek Mackay MSP not to impose new planning regulations on the construction, upgrading and maintenance of hill roads for farming and forestry. This had followed two years of debate and consultation.

The Government decided on a best practice approach, specifically to link future road construction more closely to the SNH guidance *Constructed Tracks in the Scottish Uplands*, a comprehensive manual that covers all aspects of planning, building and maintaining hill roads. The new edition of this guidance was published by SNH in June 2013.

Scottish Land & Estates confirms its support for the Government policy and will continue to help members to follow the best practice guidance. However, in summer 2013, a group of organisations under the Scottish Environment LINK banner sought to reopen the debate about permitted development rights.

They asked their members and the public to take photographs of examples of poor road construction

to feed into a report that was published in November 2013.

That report, *Track Changes*, accepted that tracks are legitimately required for land management, but questioned whether all tracks developed without recourse to the planning authority were created for farming or forestry purposes. It also expressed concerns about construction standards and impact on the landscape and environment. The report relied mainly on 11 case studies.

Scottish Land & Estates has obtained feedback from members targeted in the case studies, none of whom had been consulted by the authors of the report. As a result, many of the allegations made about use and status of the tracks were wrong and the owners had no opportunity to correct inaccuracies.

In particular, assumptions were made that tracks were built for access to grouse butts; however, in at least three of the case studies, the featured tracks are not used for shooting. It was then discovered that some of the photographs used in the report were out of date – one by decades and some had been taken before construction work was completed, giving a distorted impression of the final appearance of the road. We wrote to the Planning Minister to explain that the central

argument of the report was not proven by the case studies and that the way the photographs had been used called into question the validity of the whole report.

Scottish Land & Estates accepts that construction on difficult terrain and during a short summer season presents many practical challenges, but land managers and contractors are constantly improving techniques and there are many examples of high-quality roads. In some cases, estates are now reinstating tracks constructed in the past when techniques were less developed.

Scottish Land & Estates has agreed to help SNH to promote the new guidance to landowners and managers across Scotland and is part of a Moorland Forum working group which will deliver a series of hill road events in 2014 and 15.

We are also looking at other ways in which managers and contractors planning to put in new road schemes can get easy access to relevant parts of the guidance.

We call on landowners to ensure that they use the *Constructed tracks in the Scottish Uplands* guidance document when planning track works. It is vital as this debate continues that the Minister is not given cause to review his decision. **The guidance document can be found on www.snh.gov.uk**

SEPA publishes invasive non-native species plan

Invasive non-native species pose a threat to the quality of Scotland's water environment. To provide a more co-ordinated approach to preventing deterioration and tackling the problem, SEPA has published a supplementary plan – available on its website at www.sepa.org.uk/water/river_basin_planning.aspx

The plan outlines the roles of organisations and partners involved in risk assessment, monitoring, classification, data collection, and prevention and control mechanisms.

The Statutory Group on Non-Native Species will be responsible for the plan, ensuring the actions are undertaken, and assessing the effectiveness of this strategic approach to preventing the spread of non-native species in Scotland.

Have your say on improving water quality

SEPA would like to hear from landowners and managers on the protection and improvement of Scotland's water environment. Two consultations, which will help inform the next round of River Basin Management Planning, run to 22 June 2013. The consultations focus on four primary issues:

- rural diffuse pollution
- impacts on the physical condition of the water environment
- toxic substances and urban diffuse pollution
- contaminated land causing pollution to surface and groundwater.

They can be found at www.sepa.org.uk/water/river_basin_planning

Members are encouraged to either submit their own responses and/or to contribute to Scottish Land & Estates' response. Feedback can be provided to anne.gray@scottishlandandestates.co.uk