

## Know your sport: Land Permission

*Part of the pleasure in orienteering comes from the experience of being in beautiful surroundings or at a challenging man-made location. These may be ancient woodlands, open moorland, complex modern housing estates or university campuses. Most of these places are though owned or managed by people or organisations and events can only happen with their permission.*

Before an orienteering event can take place, club officials need to contact and negotiate with the landowners. This needs a recognition of the concerns of the landowners and they will need reassurance that the staging of the event will take these into account.

### What are the concerns?

With increased pressure on the countryside, various different concerns can be raised by the use of an area for orienteering. These are some of the more usual ones. The orienteering community must seek to work within the restrictions that these impose but also, where appropriate, may be able to challenge the arbitrary closure of land.

**Ground Nesting Birds:** Areas of rough grassland and woodland are the habit of certain species of birds which make their nests on the ground and spend time protecting the eggs and rearing the young. Examples include woodlark, nightjar and Dartford warbler and some local areas are important strongholds for these unusual birds. The main danger is that orienteers (and people generally) unintentionally frighten the adults away from their nests, leaving eggs or the young birds vulnerable to the cold, or to predators such as crows. In addition, under the Wildlife and Countryside Act 1981, legal protection is given to certain birds. For these it is an offence to 'intentionally or recklessly' disturb them whilst nesting. Access to some areas is therefore very restricted during the nesting season - typically 1st March to 31st July (although with warmer winters, earlier nesting may mean some areas are closed sooner).



**Sites of Special Scientific Interest (SSSIs):** Some habitats support unusual flora and fauna and additional protective measures are advised and/or enforced. One of the largest in Berkshire is the Windsor Forest and Great Park SSSI, which covers ancient beech and oak woodlands, woodland pasture, acid grassland, heathland and ponds. Parts of this are important habitats for lichens, mosses and ferns and whilst walking along the paths may be permitted, navigating through the wood might harm the delicate ecosystem. We never have access to these areas.

**Agricultural Activities:** Much of the countryside is used for growing crops or providing land for farm animals. The use of these areas will be subject to appropriate controls both to protect the crops or animals and also the infrastructure of the farm (e.g. fences, gates or dry stone walls). Crossing a ploughed field in winter may be perfectly acceptable but when a crop is growing, it may be declared as out of bounds. Entering fields with farm animals may normally be acceptable as most animals will move away to avoid contact - but gates must be kept closed. During the lambing season, there will be increased concerns and restrictions may apply including sometimes the banning of dogs in any field used for car parking. Another commercial activity is the rearing of game birds and their subsequent shooting. When the young birds are in pens, there may be little concern - later, during the shooting season, access may be more limited.

**Disruption to the enjoyment of others:** Although most orienteers are usually lovers of the countryside, it has to be recognised that the presence of large numbers of orienteers rushing around a wood or moor can disrupt the pleasure of others seeking peace, quiet and solitude. This will mainly cover walkers but particular concerns relate to horse riders who may be put at risk by the sudden appearance of a runner jumping out of the wood onto a bridleway.



### Major landowners and their policies:

#### Forestry Commission

The Forestry Commission manages the forests on government land as well as other areas where they have contracts with private landowners (including Crown Estate discussed below). Public access to many of these areas is generally permitted and, as a policy, promoting the use of national forests is seen as a positive objective to be encouraged. However the Commission and its subsidiary, Forest Enterprises England (soon to be Forestry England), have a commercial role and there are times when difficulties do arise. British Orienteering has a national agreement relating to the charges for orienteering events but these are normally quite reasonable.



#### The Crown Estate

There was a time when Crown Estate land (land owned by the Queen) was closed to the public. Although times have changed, their policies can be more restrictive than the Forestry Commission as they are not so publicly accountable. Locally, much of Swinley Forest around Bracknell is Crown Estate and we have generally a good working relationship with their staff.



#### National Trust (NT)

Although many NT properties are stately homes with well maintained landscaped gardens, some have large woodland or farmland attached. Other land owned by the NT includes areas of woodland, moors and areas close to the coastline. The NT encourages the public to visit but they need to raise money and often charge for access. Orienteering events are sometimes seen as a positive way to encourage greater use of their land but this must not detract from the experience of other paying visitors or damage the habitats that the NT is seeking to protect. Local negotiations are needed to determine which areas are suitable for events.



#### Army land

The army own many large areas of high quality orienteering terrain both locally (around Aldershot and Sandhurst) as well as within easy reach (Salisbury Plain). These are primarily used for army training exercises which will sometimes include live firing. Access to these areas has therefore to be negotiated. In some cases, public access for recreation is tolerated but more organised activities need specific permission. This has to be discussed and agreed with Landmarc, the main management organisation. Unfortunately, recent changes have meant a greater focus on 'third party income generation' and access fees have risen substantially (to over £1000 per event). National negotiations have so far failed to reduce the fee level. Events organised by the army are not subject to the fee so the midweek army league events remain very good value for civilians.

#### National Parks

The main National Park in the region is the New Forest. Here the Authority needs to meet its statutory duties which include being sensitive to the habitat but also the need to give public appropriate access. Orienteering has been viewed as a suitable use of the area but access has been limited to the autumn and winter (to avoid ground nesting birds) and major events have restrictions put on the total number of competitors.



### How can you help?

Do you own a local forest? Please give us permission to stage an event there!

More realistically, participants at events have to be aware that the event officials, when gaining permission, will have offered reassurance to the land owners. They will have stated that competitors will follow instructions and comply with any agreed restrictions such as out of bounds areas or uncrossable fences. Failure to comply may be noticed by the land owner and will put at risk the future use of the area for many years - if not for ever. The event organiser will use the final details for the event to pass on any important information relating to the permission. **Please read these and comply even if you do not appreciate the reason for the requirement.**