

29th October 2014

Lord Smith
The Smith Commission
7th Floor One Atria
144 Morrison Street
Edinburgh EH3 8EX

Dear Lord Smith

Ramblers Scotland response to the Smith Commission consultation

Ramblers Scotland is the representative body for walkers in Scotland and a governing body of sport. As members of Scottish Environment LINK, Ramblers Scotland has contributed to the LINK submission which will be made to the Smith Commission in due course. The LINK submission contains the following paragraph:

2. As per our discussions during the referendum period itself, we can add to the 'Referendum Challenge' an eleventh aspiration - that the protection and stewardship of the land, sea and air of Scotland, and all the many species of life we share this space with, should be enshrined in a written form within the constitutional settlement. We respect the uncodified nature of the constitutional arrangements of the United Kingdom, but we note also, that many have suggested that a written, legislatively based, entrenchment of the Scottish Parliament be pursued. Our aspiration would apply to any such solution for Scotland, as well as applying to any settlement in the wider UK.

Ramblers Scotland would like to further endorse this point, but also add that within the above proposed written constitutional settlement, there is also a recognition of the fundamental importance of the statutory rights of access which were established through the Land Reform (Scotland) Act 2003 in the Scottish Parliament's first session. We suggest the following form of words:

The public will have rights of access to our land, water and air for the enjoyment of nature and the outdoors.

There is a similar article within the Swedish constitution which is balanced with the right to private property. We believe that such a Scottish principle, stated publicly, would be beneficial in promoting more enjoyment of the outdoors, with resulting improvements in health at a population level.

Yours sincerely

David Thomson
Convener

President: Dr Andrew Murray
Convener: David Thomson