

Review of 'other body' full members

Purpose

1. This paper sets out a framework for discussion and voting, at the present meeting, to conclude the review of 'other body' full members of the Forum.

Action

2. Members are invited to:

- **consider the proposed process and;**
- **decide, by discussion or voting, which of the interested bodies should be full members.**

Background

3. The Forum has undertaken to review its full membership on a four year cycle. Full members representing recreation and land management interests were reviewed during 2008, and the review of public body members was completed earlier this year. The review of 'other body' members is also taking place during 2009 and will need to be concluded by discussion and voting at the present meeting.
4. The Forum contacted all full and corresponding 'other body' members earlier this year to invite expressions of interest in full membership. Nine organisations indicated their willingness to fulfil this role.
5. Five seats at the Forum are allocated to 'other body' members, and the Forum's Operating Principles indicate that these should include at least one body representing each of the following:
 - educational users within access rights;
 - commercial users within access rights, and;
 - conservation interests.
6. This leaves up to two seats for bodies representing other relevant interests.
7. The bodies that have expressed an interest in full membership are as follows:

Educational users within access rights
Scottish Advisory Panel for Outdoor Education (SAPOE)
Commercial users within access rights
Activity Scotland SYHA Hostelling Scotland (SYHA)
Conservation interests
RSPB Scotland
Other relevant interests
Cycling Scotland Mountain Bothies Association (MBA) Scottish Auto Cycle Union (SACU) Scottish Canine Consultative Council (SCCC) Scottish Rights of Way & Access Society (Scotways)

8. This listing aims to allocate each body to the most appropriate of the four 'other body' categories. These allocations are important to ensure that each sector is properly represented at the Forum and, at a practical level, because they influence the likelihood of each body being selected as a full member. It would therefore be helpful to confirm that the Forum is content with these allocations.
9. In line with the approach that was adopted when the Forum was convened in 2004, each organisation has provided a very brief statement describing their respective roles and interests, and their potential contributions to the work of the Forum. Paper copies of these statements will be circulated to full members along with the other papers for this meeting.

Discussion and voting

10. A number of procedural issues will need to be considered before discussion and/or voting begins.

Which full members should take part?

11. In fairness to all the interested bodies, current 'other body' full members should not take part in this process, and the programme for the day has been arranged to allow these members to leave before this agenda item.
12. The Forum's Operating Principles indicate that 'other bodies' will be elected by full members representing the recreation and land management sectors. This arrangement was originally intended to help ensure overall numerical parity between these interests for voting purposes - on the presumption that bodies in the 'other' category will variously have affinities with recreation or land management. In practice, however, the Forum has operated through discussion and consensus, and has rarely voted on any issues apart from the election of the Convenor. It is therefore arguable whether this concern is still relevant, and a more broadly participatory approach involving a wider range of full members may be more straightforward and comprehensible to the wider access community. Any broader voting arrangement of this type should probably not include current 'other body' members (as above), Scottish Natural Heritage (which is a non-voting member) or the Scottish Government (which is an observer). The Forum may therefore wish to decide at the outset which members should be involved in discussion and voting.

How should the process be structured?

13. By analogy with the approach adopted when this process was last undertaken (at the Forum meeting on 26 May 2004), a decision could be reached by discussing, and if necessary voting on, each category of 'other body' in turn – and this approach is recommended. An alternative, less structured approach might be to discuss all of the vacant 'other body' seats together as a single 'pool', but this would be harder to co-ordinate and in the event of a vote, it would be impossible to guarantee that at least one body would be elected in each of the education, commercial and conservation categories.
14. If the former approach is adopted, it will be necessary to decide whether organisations which are listed under one of the earlier categories, but are not selected, can default to the 'other relevant interests' category and thus have a second chance of selection. When this process was last undertaken, the Forum took the view that each body should only be considered under one category and should not have a

'second bite of the cherry', as this would disadvantage the other organisations – and this approach is therefore recommended on this occasion.

Making a choice within each category

15. By analogy with the way in which the Forum normally works, a suggested approach might be to discuss the available candidates in each category in the first instance, with the aim of reaching consensus without a vote. If this cannot be achieved, the process could be concluded by voting.
16. The Operating Principles indicate that the Convenor should be elected using the Alternative Vote (AV) system, but no voting system is specified for the election of full members. By extension of this precedent, and in line with the recommendations of the Electoral Reform Society, it is suggested that the AV system should be used for any votes that involve a single seat and that the Single Transferable Vote (STV) system should be adopted where more than one seat is available.

How many members should be chosen in each category?

17. The Operating Principles leave some latitude with regard to the exact number of 'other body' seats, which include at least one each for education, commercial and conservation interests, within an overall total of up to five seats. Bearing in mind the number of interested organisations in each category, this gives at least three practical options for the distribution of seats:
 - one each for education and conservation, two for commercial interests, one for 'other relevant interests' (five in total);
 - one each for education, commercial and conservation interests, two for 'other relevant interests' (five in total), or;
 - one in each of the four categories (four in total).
18. The second option has the advantage of maximising the range of representation on the Forum, as the 'other relevant interests' include a diverse group of constituencies, but this is for members to determine. This decision should perhaps be guided by the principle of maximising direct involvement in the Forum, as long as the organisations concerned can make a useful contribution to its work.

A suggested approach

19. A suggested approach to this procedure might be as follows:
 - agree which members should be involved in discussion and voting (para 12);
 - confirm whether members are content with the allocation of interested bodies to the four categories (paras 7-8) and the proposed approach to discussion and voting set out in paras 13-16;
 - decide what balance of members to elect across the four categories (paras 17 and 18), and;
 - discuss and where necessary vote on each of the listed categories in turn, referring to the statements provided by interested bodies.

Mark Wraitham
Secretary