

National Access Forum
Third Annual Report: 2006-2007

Introduction

Part 1 of the Land Reform (Scotland) Act 2003 confers rights of access to most land and inland water in Scotland. These rights are subject to responsible behaviour, which is described in the Scottish Outdoor Access Code. Scottish Natural Heritage (SNH) has a statutory duty to keep this Code under review.

The National Access Forum (NAF) is a voluntary association of interested organisations, convened by SNH, with overarching aims to help:

- facilitate responsible enjoyment of the outdoors;
- encourage responsible management of land and water in relation to access; and
- ensure that the reasonable needs of privacy, safety and conservation are safeguarded.

The forum seeks to achieve these aims by:

- advising SNH and other bodies on national issues arising from implementation of the access legislation;
- advising on the effectiveness of the *Scottish Outdoor Access Code* and on work to publicise and promote it;
- advising on best practice in access provision and management;
- advising on other access-related issues of national importance which relate to responsible enjoyment of the outdoors, and;
- liaising with the new local access forums and advising SNH on their consistency in dealing with issues arising from the legislation.

The forum has 25 full members, with equal numbers of bodies representing land management and recreation interests, and common membership criteria which specify that each body should be membership-based, authoritative and committed to effective liaison with a broad constituency. The forum also includes public bodies, including the access authorities and SNH, which have critical roles in the implementation of the new rights, and representatives of relevant commercial/tourism, education and conservation interests. The Scottish Government attends as an observer.

Participating representative bodies are selected democratically from wider constituencies of recreation and land management organisations, and those bodies which are not selected for full membership are able to participate as corresponding members. The forum can establish sub-groups to consider particularly complex or contentious issues, and these may include both full and corresponding members as appropriate. Members of the forum are listed in Annex 1.

The forum has an independent Convenor elected by full forum members, and any full or corresponding member body can propose nominations for this role. The current Convenor is Bob Reid, who was elected in November 2004. The Convenor serves for a two year term with the possibility of renewal for a further two years, and membership of the forum as a whole is also reviewed on a four year cycle. The Secretariat to the forum is provided by SNH.

In summary, the membership of the forum is therefore as follows:

- user bodies (six)
- land management bodies (six)
- public bodies (six)

- other representative bodies (five: commercial/tourism body, education body, conservation body, and two other bodies selected by the forum)
- local access forum contact (one: an access authority officer, also providing further input on issues affecting low ground/urban access authorities)
- convenor (one)

All regular forum meetings are held in public and papers are available on a dedicated Access Forum microsite at www.outdooraccess-scotland.com. Submissions on forum papers are invited from all interested parties, including members of the public. The Operating Principles of the forum are listed in Annex 2.

The forum was convened during 2004-05 and was largely in place when access rights came into force in February 2005. This is the third Annual Report of the forum and describes the work that has been undertaken from October 2006 to September 2007.

Administration and structure

A small number of changes to the membership and administration of the forum have taken place during the last year.

Membership of the forum

When the forum was reconvened to support the implementation of the access legislation, there was a clear understanding that membership would be subject to periodic review. The process and timescale for this review was not, however, formally established at that time. The forum therefore discussed this at a meeting in February 2007 and agreed that:

- the full members of the forum should be reviewed on a four year cycle, with recreation and land management bodies being reviewed in Year 1 and public/other bodies in Year 2. This would be linked to the four year cycle for appointment and review of the Convenor, which would take place in Years 1 and 3 respectively, and;
- the procedures for these review processes, involving both full and corresponding members, were agreed. The forum also agreed to adopt the Alternative Vote (AV) system for the election of future Convenors.

This review cycle will begin after the first four years of the forum's operation in 2008, with the appointment of the next Convenor and a review of recreation and land management member bodies.

There has also been one change in the composition of the forum during the last year, and Transport Scotland has become a corresponding member (as noted below).

One-year review

Early in 2006, the forum initiated a review of its operation to date, which also incorporated an agreed process of constructive and supportive performance monitoring for the Convenor. This was based on the circulation of a short questionnaire to full members, and the resulting comments and suggestions were passed to a small cross-sectoral sub-group of forum members for consideration. The sub-group proposed a small number of recommendations, in discussion with the Convenor and Secretary, which were approved by the forum in November 2006. These included a greater focus on generic national issues, regular reporting back by the Convenor and a number of measures to improve timekeeping at forum meetings (which often have relatively long agendas). These recommendations are now being implemented.

Achievements during 06-07

During the last year, the forum has considered a number of practical issues relating to the access legislation and Code. These are grouped according to the functions of the forum as indicated in the Introduction.

Advising SNH and other bodies on national issues arising from implementation of the access legislation

Scottish Government research study on land reform

The forum has discussed a research study commissioned by the Scottish Government, and undertaken by the Macaulay Institute, to assess the impacts of land reform - in order to identify the main issues that should be considered through this process. Key points included improved access to inland water, the need to consider environmental (as well as social and economic) impacts and the importance of 'soft' factors such as quality of experience. It was also suggested that some factors, such as the economic impact of path networks, might need to be quantified through local case studies pending the availability of a national overview. This study is ongoing and the outcome will be reported in due course.

Funding for implementation

The forum has continued to receive regular updates on access authority funding for implementation of the legislation from the Scottish Government and SNH through a standing agenda item, noting the recent agreement of a revised formula for allocation of access funding to local authorities through the Grant-Aided Expenditure (GAE) settlement.

The forum has also discussed how best to integrate access provision under Tier 2 of Land Management Contracts (now Rural Development Contracts) with wider path provision by access authorities. This discussion has explored various options for the sharing of map-based information between the Scottish Government and access authorities and the most appropriate and efficient means of liaison with access officers in relation to new applications. As a result of this discussion, the forum wrote to the Head of the Environment & Rural Affairs Department (now the Scottish Government Rural Payments and Inspections Directorate) highlighting the importance of access funding by this route and emphasising the need for integration with the work of access authorities. The Government welcomed this endorsement, noted that work was underway to improve the availability of relevant path information, and undertook to liaise with the forum as necessary when taking this forward.

The forum has also considered the possible implications of the current harmonisation of local authority pay and conditions on the status of access officers, noting the risk that this process could adversely affect retention of access staff and hence implementation of the access legislation. It was agreed that the outcome of this process should be monitored in conjunction with the Paths for All Partnership (PFAP).

Legal judgements

The September 2007 forum meeting included discussion of legal judgements relating to access at Kinfauns Castle in Perthshire and Feddonhill Wood on the Black Isle. Members noted the limited reference to the Code in determining the extent of the privacy zone at Kinfauns Castle. The forum also discussed the scale of costs involved in such proceedings, noting the possibility that these could deter future action of this kind, although this also emphasised the importance of dialogue to resolve issues at an early stage. Any assessment of the significance of these cases will require a longer term view in the light of further

experience with legal interpretation of the Act and Code, and would therefore be premature at the present time. The forum will monitor developments and discuss these issues as required in the future.

Monitoring of access-related issues and incidents

A meeting of the forum in February 2007 discussed a paper from NFU Scotland which explored the idea of a telephone helpline through which land managers and users could report problems arising on the ground. As a result of this discussion, a group of forum members agreed to give further thought to the range of existing monitoring systems which are used by various bodies to record such incidents, including those which have already been put in place by SNH, to identify whether any gaps exist. The forum considered this issue again in September 2007 in the light of this discussion, and agreed to seek views from the Scottish Countryside Access Network (SCAN) and Convention of Scottish Local Authorities (COSLA) on the scope of existing monitoring and options for collating this information on a more consistent basis. A group of interested forum members will continue to meet once a year to maintain an overview of this issue.

Reimbursement of access-related costs

NFU Scotland presented a paper to the May 2007 meeting highlighting a research study which was undertaken prior to commencement of the legislation, and which explored arrangements in some other European countries for reimbursement of certain access-related costs incurred by land managers. There was some discussion of the possible need to monitor such costs to assess the significance of this issue, which is linked to the above discussion regarding the monitoring of access-related issues and incidents and can be considered in the light of that process.

Review of Section 27 guidance

The forum discussed a paper from the Scottish Rural Property & Business Association (SRPBA) which suggested that it may be necessary to review the Government's statutory guidance to access authorities under Section 27 of the Act, in the light of experience with implementation of this legislation. The Government is considering the need for such a review, in part to address some outstanding omissions, and the forum could therefore revisit this issue at the appropriate time.

Access and water-based recreation

Conflict has recently arisen on the Upper Tay between fishing and commercial rafting interests, respectively represented by the Upper Tay Riparian Owners Association (UTROA) and the Scottish Rafting Association (SRA). UTROA raised this issue with the Scottish Executive during 2006, who in turn sought discussion with the SRA and suggested that this could be considered by the national forum. The role of the national forum was to advise on the broad principles and any wider national implications arising from experience on the Tay, rather than seeking to address the detail of this case, as the statutory lead role in the resolution of specific disputes rests with the local access forum.

The forum discussed this issue at a meeting in November 2006 which included presentations from both SRA and UTROA. This discussion reaffirmed the principle of mutual respect for the rights of others which underpins the Access Code, and suggested that there may be a case for further guidance on the interaction of different commercial interests when, in due course, the Code is reviewed. The forum also strongly reaffirmed the lead role of the local forum in the resolution of this issue. The two parties have since reached a negotiated agreement with the assistance of Perth & Kinross Outdoor Access Forum, which should

provide the necessary foundation from which to minimise, and if necessary address, any future conflict. These issues have not arisen, or have been effectively managed by liaison between the main parties, on rivers elsewhere in Scotland, and the NAF will continue to monitor the situation from a national perspective.

Access and the media

The publicity accompanying the court cases regarding access at Kinfauns Castle and Boquhan estate, and the avian flu alert during 2006, suggested that the Scottish access legislation can be misunderstood or misrepresented by the media. In particular, access rights are frequently described as a 'right to roam', without reference to the responsibilities that are integral to the access framework. The forum has agreed to consider ways of promoting greater understanding of access in the media and this will be discussed at the earliest opportunity.

Other areas of work

The forum has discussed various other issues by correspondence, including input to the access elements of the action plan accompanying the Scottish Forestry Strategy during late 2006-early 2007.

The Convenor has attended a number of meetings during the year to raise awareness of the access legislation and of the work of the forum. These have included a presentation to the North East Mountain Trust in Aberdeen, an event at Holyrood as part of the Link Scottish Environment Week and a joint meeting for NFUS and SRPBA representatives on local access forums.

Advising on the effectiveness of the Scottish Outdoor Access Code and on work to publicise and promote it

Camping

The forum has discussed a number of issues that have arisen in association with informal camping, in particular where this involves large groups in accessible roadside settings. As a result of this discussion, the forum has established a dedicated sub-group, chaired by Forestry Commission Scotland, to consider this issue in more detail.

A proforma was circulated early this year via the forum's contact network, inviting those involved with the management of camping to report problems that have arisen and the approaches that have been used to address them. The resulting information has been compiled to help target local activity to promote responsible behaviour and to inform the development of appropriate guidance. The sub-group met on 26 April and 26 June 2007 to consider how best to take this forward, drawing on the above information base and working closely with SNH's Communications & Promotions Unit.

This discussion has informed the development of mass media advertising which appeared in a range of high profile newspapers, including the Scotsman, Sunday Herald, Daily Record and Sun, during July and August 2007. The advert has been produced as a poster which is available online at www.outdooraccess-scotland.com. Education packs have also been produced for school use and promote responsible camping as part of wider messages regarding outdoor access and responsible behaviour. SNH is exploring the potential for swing tag products which can provide messages about responsible behaviour in conjunction with camping equipment at the point of sale.

A number of parallel lines of action are being pursued to raise awareness among land and recreation managers of the range of options that can be used to manage camping-related problems. An SNH Sharing Good Practice event took place in April 2007 in Balmaha, allowing participants to share experience in this area. Draft guidance on the management of such issues is in preparation and was considered at a meeting of the camping sub-group on 3rd October 2007. Further work on this draft is currently in progress.

Events

Experience in a number of popular upland areas has highlighted various issues relating to the management of large outdoor events. Initial discussion at the forum indicated a general need to promote greater awareness of the Scottish access legislation and the Access Code among some event organisers. A number of more specific issues have also been identified, including a need to clarify the procedures and timescales for liaison between event organisers and other interested parties, and to more clearly define who is best placed to advise on potential impacts on other recreational users and on the environment.

The general need to raise awareness of the Scottish access framework has been addressed through discussion with EventScotland and the Institute of Fundraising, a UK-wide body which promotes best practice among charity fundraisers. The forum has proposed some interim changes to the Institute of Fundraising's current guidance to event organisers, highlighting the Scottish context, and has offered to contribute to a future revision of the Institute's guidance when this takes place.

The forum has also been involved in preliminary work to develop national guidance on the organisation and management of events within the Scottish access framework. This included input to a workshop on outdoor events which was jointly organised by the National Trust for Scotland (NTS) and Scottish Natural Heritage (SNH), and which took place in Glencoe during February 2007. The forum is now working with the Cairngorms National Park Authority to take this process forward by developing guidance, in the first instance, for the National Park area. The Park has experienced most of the issues that have arisen at national level and this initiative should therefore provide an excellent foundation for the development of national guidance. This will be led by the forum during 2008, with appropriate involvement of all interested parties.

Access and cattle

A joint paper from NFU Scotland and the Scottish Crofting Foundation (SCF) was discussed at the May 2007 meeting, and considered whether additional guidance might be needed to clarify responsible behaviour when cattle are encountered in extensive unfenced areas, such as the common grazings that are widespread in the crofting counties. It was agreed that SNH would work with NFUS and SCF to develop appropriate messages for recreational users for dissemination on the outdoor access website, and perhaps by other routes. This might be supported by reference to HSE guidance on access and cattle, which provides some relevant guidance to land managers. This approach would allow targeted guidance to be made available relatively quickly, rather than through a future review of the Code, and work is currently in hand to take this forward.

Access and dogs

The above forum meeting also considered a paper from SCF regarding access with dogs on common grazings and similar areas, which suggested that the Code should be amended, in due course, to advise that dogs are kept on leads when close to livestock. It was agreed that SNH would consider the scope for modified or additional guidance on this issue through the

access education programme. This is also being taken forward in conjunction with SCF and NFUS.

Access and stalking

The September 2007 meeting discussed a paper from the Mountaineering Council of Scotland which sought to clarify the key requirements with regard to signage and other communication between stalkers and hillwalkers. This issue had been raised in previous discussion at the Lochaber Local Access Forum and Deer Management Round Table. Discussion reaffirmed that solutions should be identified at local level but suggested a need for central guidance, and the forum agreed to establish a sub-group to consider the principles and practicalities in more detail. This work will be taken forward during the coming months.

Review of SNH access education programme

The forum discussed the SNH access education programme in September 2007, in the light of a recent review undertaken by IAS Smarts. Recent surveys indicate 62% awareness of the existence of the Code among the general population, and continuing effort is required to translate this into greater understanding of its principal messages. Future work will also focus increasingly on key issues such as dogs and camping, and the outdooraccess-scotland website will shortly be reviewed.

Advising on other access-related issues of national importance which relate to responsible enjoyment of the outdoors

Access provision in conjunction with trunk road development

The forum has discussed the need to ensure high standards of provision for non-motorised users in conjunction with trunk road developments, and to ensure that such provision links with wider path networks. These points were highlighted in a paper from Cyclists Touring Club Scotland which was considered at the February meeting, and the forum agreed to write to Transport Scotland (TS) noting these issues. In reply, TS highlighted a number of relevant areas of current activity and indicated that updated best practice guidance on cycling provision (*Cycling by Design*) should be completed later this year.

In response to an invitation from the forum, TS has also become a corresponding member. This formal link recognises the synergy between provision for outdoor access and sustainable transport and should allow this dimension to be fully reflected in future discussion at the forum.

Access across level crossings

The Forum has been working with Network Rail to explore ways of facilitating access across level crossings which are not on the public road network. This discussion led to the establishment of a one year pilot exercise at a number of crossings in the Highlands, to assess the potential for positive management that would both support access rights and address safety concerns. Following completion of this trial, and discussion with Her Majesty's Rail Inspectorate, Network Rail has indicated that crossings will be considered for re-opening based on a three year rolling process of risk assessment. Crossings which are included in proposed core path plans, or which have been identified by recreation bodies, will be prioritised for early review within this framework.

Ron McAulay, Director Scotland of Network Rail, attended a meeting of the forum on 21st February to discuss these proposals. Members welcomed the progress that had been made

but noted that some significant outstanding issues remain to be addressed, particularly in relation to access by horses and disabled users. Forum representatives will meet with Network Rail in the near future to consider the scope for further action to address these issues.

Ticks

The forum was approached by Scotland's Moorland Forum in early 2006, with the aim of highlighting the apparent increase in tick populations and the associated risk of disease transmission to humans. As a result of this discussion, the November 2006 meeting of the forum received a presentation on ticks from Dr Adam Smith of the Game Conservancy Trust. The trust subsequently provided further information on request to a number of member bodies allowing them to raise awareness of this issue, and of appropriate practical measures to reduce the associated health risk, among their members.

Future trends in outdoor recreation

At the forum's invitation Andrew Thin, Chair of SNH, gave a presentation to members at the November 2006 meeting. This presentation highlighted a number of possible future trends for outdoor recreation, including growing recognition of the links between recreation and other agendas, such as health and rural development, and the opportunity for greater investment in infrastructure arising from the changing framework for agricultural support.

Liaising with local access forums

The forum has continued to liaise with both the local access forums and the Access for All (Scotland) Forum, which represents disability interests.

Local Access Forums

Communication with the local forums is of considerable importance to the realisation of the national forum's other objectives, as listed above. A number of mechanisms currently exist to fulfil this requirement, including:

- papers are circulated to access officers by e-mail for onward distribution, as appropriate, to local forums;
- forum papers are available online at www.outdooraccess-scotland.com;
- local forum members can contribute comments or points for discussion at the national forum through a designated local access forum contact, through the full members representing access authorities or relevant recreation/land management interests, or through the Secretary, and;
- the forum conducts its regular business meetings in public and holds an annual joint meeting with local access forums at different locations around the country.

The Forum held its second annual joint meeting with local access forums in Peebles on 20th September 2006. This event included updates on the work of the national forum, the SNH access education programme and progress with the wider implementation of access rights. Representatives of the Borders Local Access Forum provided a corresponding overview of activity taking place within the local area. The third annual joint meeting will take place in Aberdeen on 31st October 2007.

The national forum continues to discuss ways of improving communication between the national and local bodies. The importance of this approach was underlined by the forum's

one-year review sub-group (see *Administration and Structure* above), which recommended that the forum should “continue to seek active input from local access forums and that methods of communication on key issues between the national and local forums should be kept under review”.

Liaison with the Access for All (Scotland) Forum

The national forum seeks to address disability interests through liaison between the Secretariats of the NAF and the Access for All (Scotland) Forum (convened by the Paths for All Partnership; PFAP), and members of either group can relay matters for discussion by the other body at any time. The Access for All Forum met twice during the past year and contributed a presentation to the May 2007 NAF meeting. This provided an overview of the legal framework for disabled access provision, with input from Rona Gibb of PFAP, and Keith Robertson and Liz Rowlett of the Scottish Disability Equality Forum (SDEF). The two forums have agreed to include a similar presentation at the 2007 joint meeting of national and local access forums (above) in order to raise awareness of these issues among a wider range of forum members.

The meetings held by the forum during the period covered by this report are summarised in Annex 4.

Further information

Additional information about the National Access Forum, including the papers of the NAF-LAF joint meeting and regular meetings conducted during 2006-2007, can be obtained at www.outdooraccess-scotland.com. If you have any other queries about the Forum, or would like to discuss any aspect of the Forum's work, please contact:

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Secretary, National Access Forum

c/o Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725316 (direct)
mark.wrightham@snh.gov.uk

Local access forum members can also contact the forum via the LAF contact:

Simon Pilpel
Local forum contact, National Access Forum

c/o South Lanarkshire Countryside & Greenspace
Chatelherault Country Park
Ferniegair
Carlisle Road
Hamilton
ML3 7UE

01698 543421
simon.pilpel@southlanarkshire.gsx.gov.uk

Annex 1: Full and corresponding members of the National Access Forum

Member organisations are grouped into the 'constituencies' used to ensure that the forum is balanced and broadly representative. Full members are indicated in **bold**.

Recreation bodies

British Horse Society Scotland

British Cycling

Cyclists Touring Club (Scotland)

International Mountain Bicycling Association-UK

Mountaineering Council of Scotland

National Caving Association

Ramblers' Association Scotland

Rough Stuff Fellowship

Royal Yachting Association (Scotland)

Scottish Amateur Rowing Association

Scottish Canoe Association

Scottish Carriage Driving Association

Scottish Cycling Union

Scottish Equestrian Association

Scottish Hang Gliding & Paragliding Federation

Scottish Hill Runners

Scottish Orienteering Association

Scottish Sports Association

Snowsport Scotland

Sub Aqua Association (Scotland)

Trail Cyclists Association

Land management bodies

Association of Deer Management Groups

Association of Salmon Fishery Boards

British Association for Shooting & Conservation

Confederation of Forest Industries

Historic Houses Association of Scotland

NFU Scotland

Scottish Crofting Foundation

Scottish Estates Business Group

Scottish Golf Union

Scottish Rural Property & Business Association

Public bodies

British Waterways Scotland

Convention of Scottish Local Authorities

EventScotland

Forestry Commission Scotland

Health & Safety Executive

Historic Scotland

Ministry of Defence

National Park Authorities

Scottish Enterprise

Scottish Natural Heritage

Scottish Water

Sportscotland

Transport Scotland

Visitscotland

Other bodies

Education bodies

Boys Brigade
Field Studies Council
Girls Brigade
Guide Association Scotland
Outward Bound Scotland
Royal Highland Educational Trust
Scottish Advisory Panel for Outdoor Education
Scout Association Scotland
Duke of Edinburgh Award Scheme

Commercial/tourism bodies

Activity Scotland

Association of Mountain Guides
Association of Mountaineering Instructors
British Holiday and Home Parks Association
Scottish Chambers of Commerce
Scottish Youth Hostels Association
Trekking & Riding Association of Scotland

Conservation bodies

John Muir Trust
Scottish Environment Link
National Trust for Scotland
RSPB Scotland
Scottish Wildlife Trust
Woodland Trust

Other relevant interests

Association of Scottish Community Councils
Cycling Scotland
Farming & Wildlife Advisory Group
Fieldfare Trust
Mountain Bothies Association
Salmon and Trout Association
Scottish Anglers' National Association
Scottish Autocycle Union
Scottish Canine Consultative Council
Scottish Disability Equality Forum
Scottish Federation for Coarse Angling
Scottish Rights of Way & Access Society
Sustrans Scotland

Professional bodies

Association of Chief Police Officers (Scotland)
Association of Heads of Outdoor Centres
Game Conservancy Trust
Law Society of Scotland
Royal Town Planning Institute
Royal Institution of Chartered Surveyors
Royal Scottish Forestry Society
Scottish Countryside Access Network
Scottish Countryside Rangers Association
Scottish Gamekeepers Association

Scottish Raptor Monitoring Group

The Paths for All Partnership is also included in the circulation of forum papers.

Annex 2: Operating principles of the National Access Forum

A. The role and status of the Forum

- A1. The Land Reform Act places a statutory duty on SNH to keep the Access Code under review, and to consult 'such persons or bodies as they think appropriate' in fulfilment of this task. The National Access Forum is a voluntary association of interested organisations convened by SNH for this purpose. It is for SNH and Forum members to agree the Forum's composition and remit.
- A2. The overarching aims of the Forum are to:
- facilitate responsible enjoyment of the outdoors;
 - encourage responsible management of land and water in relation to access; and
 - ensure that the reasonable needs of privacy, safety and conservation are safeguarded.
- A3. The Forum will achieve these aims by:
- advising SNH and other bodies on national issues arising from the implementation of the Land Reform (Scotland) Act 2003, including the use of duties and powers, the content and effectiveness of guidance, and resource requirements;
 - advising on the effectiveness of the *Scottish Outdoor Access Code* and on possible improvements to it;
 - advising on work to publicise the Code and to promote understanding of it, and keeping the effectiveness of this work under review;
 - advising on broad principles and approaches to best practice in access provision and management, including codes of practice, advice, signage and standards;
 - advising on other access-related issues of national importance arising from or impacting on responsible enjoyment of the outdoors, and;
 - liaising regularly with the new local access forums and advising SNH on their consistency in dealing with issues arising from the legislation.

B. Membership of the Forum

- B1. SNH will provide the Secretariat support for the Forum and will maintain an address and web presence for the Forum.
- B2. The Forum will comprise representatives of recreation, land management and other interests. These bodies should be non-party political, have a national, membership-based structure through clubs and/or individual members, and be both recognised and authoritative. The Forum will also include public bodies which have significant national roles in access and can represent the wider public interest. SNH will maintain lists of such bodies in consultation with Forum members.
- B3. Full members of the Forum will be identified and reviewed as follows:
- the Secretary will invite relevant recreation and land management bodies to express an interest in full membership. Six members will be identified from within each group by discussion at a meeting convened for the purpose. Where agreement cannot be reached by this method, membership will be determined by a vote involving bodies within the relevant constituency;
 - six relevant public bodies will be identified by agreement between the organisations concerned;

- the Secretary will invite relevant 'other' bodies to express an interest in full membership; up to five such organisations will be elected by full members representing the recreation and land management sectors, and these should include at least one body each to represent educational, commercial and conservation interests;
- unless they have expressed a wish to the contrary, all bodies which are not selected can become corresponding members of the forum.

- B4. The Forum will be chaired by an independent Convenor. The Secretary will invite nominations for this role from all full and corresponding members, accompanied by a short summary of the candidate's background and confirmation of their willingness to stand. The Convenor will be elected by the full members of the Forum using the Alternative Vote (AV) system.
- B5. If no nominations are received, the forum could discuss the issue in closed session to identify potential candidates (including a chair from within its own membership), or SNH could nominate an interim chair pending the identification of a suitable alternative.
- B6. The Convenor's term will run for two years, subject to review, with the possibility of extension for a further two years. The forum should provide constructive feedback to assist the Convenor, which could be based on an annual appraisal and/or informal guidance. The review of the Convenor after the first two years of the appointment should be considered by discussion in closed session, and the chairing role should pass to another forum member for this purpose.
- B7. The membership of the Forum will be reviewed on a four year cycle as follows:

Year 1	Review recreation and land management bodies; appoint Convenor
Year 2	Review public and other bodies
Year 3	No change in membership; review Convenor
Year 4	No change in membership

C. Running the Forum and its meetings

- C1. The Forum will meet 3-4 times a year, or as required.
- C2. Much of the work of the Forum will be conducted through time-limited working groups that report to the Forum. The working groups would most likely be chaired by Forum members but their membership would be drawn from both full and corresponding member bodies.
- C3. Each working group will be serviced by a Forum member organisation, most likely one of the public body members.
- C4. Forum and working group meetings will be minuted. Comments will be attributed to individuals and member organisations.
- C5. Any member organisation can raise agenda items or prepare formal papers for discussion by the Forum with the agreement of the Forum. Formal papers must be with the Secretariat at least three weeks before the meeting.
- C6. Agendas for meetings will be agreed by the Convenor and Secretary. Agendas, papers and minutes will be circulated to all members at least two weeks before meetings (unless

otherwise agreed between the Convenor and Secretary). Corresponding members can comment or raise other points through the most appropriate representative on the Forum or through the Secretary.

- C7. A brief meeting report, covering the main issues discussed and action points arising, will be produced, circulated to members and placed on the website within one week of each meeting. The report will be approved by the Convenor and Secretary.
- C8. A detailed note of the meeting will be produced within three weeks of a meeting and circulated to full members for comment on its accuracy and content. The note will then be formally approved at the following meeting.
- C9. The Forum seeks to develop a climate of openness and trust. At each meeting of the Forum, there will be an opportunity for members to declare any relevant interests or actions which are likely to affect the work of the Forum or the business on the day.
- C10. In the unlikely event of a vote on a particular action or activity, all full members will have equal status. Observer members would not vote.
- C11. In joint decisions taken by the Convenor and Secretary, the Convenor will, if necessary, have the final say.
- C12. Scottish Natural Heritage will be a non-voting member of the Forum but will participate fully in all Forum business. The Scottish Executive will be an observer.
- C13. A work programme will be agreed by the Forum each year. This programme will set out the main areas of work, the main outputs expected and what working groups are likely to be required.

D. Keeping people informed

- D1. Agendas and papers will be placed on the website at least two weeks before a meeting, unless otherwise agreed between the Convenor and Secretary.
- D2. Meeting reports and approved formal minutes will be made public and placed on the website.
- D3. A short annual report will be produced each year. This will be published and placed on the website.
- D4. The annual report will be launched at a meeting which will be open to local access forum members and the wider public. This meeting will take place at a different venue each year, to give a good geographical spread around Scotland.
- D5. Regular meetings of the Forum will normally take place in a central location and will be open to the public. Members of the public attend strictly as observers, and should inform the Secretary beforehand in order to facilitate the arrangements for the meeting.
- D6. Members of the public can contribute written submissions on particular agenda items, which will be circulated to members or tabled at the meeting. These will be in the public domain, although the Convenor and Secretary may withhold material that is offensive or in breach of law.
- D7. Certain agenda items may be discussed in closed session, at the discretion of the Convenor and Secretary.

D8. The Convenor and Secretary may invite attendance by any individual or organisation that they believe will assist with the work of a meeting. More than one person may be invited to attend, as necessary, on behalf of a particular organisation.

E. The role of member bodies and their representatives

E1. Each member organisation will have one named representative on the Forum. Each representative can have a named individual who can deputise for them. If neither the nominated representative or their deputy can attend a meeting, the Secretary should be informed in writing at least 1 week before a meeting of who will attend in their place.

E2. At meetings of the Forum, no more than one formal representative will normally be allowed to attend on behalf of each member organisation.

E3. Members are expected to bring forward the views of their organisations, their general sector and any corresponding members who have contacted them, and feed back accordingly.

E4. The Forum should strive to reach a collective view on an issue, and members must be willing to work towards and adopt common positions where possible. Such decisions are binding on the Forum but not on member bodies. Where a common view cannot be reached, the different positions of the member bodies should be identified.

E5. The work of the Forum must be well-informed, so member organisations are expected to seek the views of their members regularly (such as through a committee).

E6. If a representative or their deputy fails to attend three consecutive meetings of the Forum then their membership may be rescinded.

Annex 3: Membership of Access Forum sub-groups

Camping sub-group

- Activity Scotland
- Association of Deer Management Groups
- Forestry Commission Scotland
- Farming & Wildlife Advisory Group (Scotland)
- Mountaineering Council of Scotland
- National Park Authorities
- NFU Scotland
- Ramblers' Association Scotland
- Scottish Canoe Association
- Scottish Natural Heritage
- Scottish Rural Property & Business Association
- VisitScotland

One year review sub-group

- Farming & Wildlife Advisory Group (Scotland)
- NFU Scotland
- Scottish Canoe Association
- Scottish Natural Heritage
- Scottish Rural Property & Business Association

Annex 4: Meetings held during the last year

- Joint meeting with local access forums – Peebles, 20th September 06
- Eighth meeting – 15th Nov 06
- Ninth meeting - 21st February 07
- Meeting of camping sub-group – Perth, 26th April 07
- 10th meeting – 9th May 07
- Meeting of camping sub-group – Perth, 26th June 07
- 11th meeting – 5th September 07
- Meeting of camping sub-group – Perth, 3rd October 2007

Regular Forum meetings all take place in the Perth area.