

**National Access Forum**  
**Fourth Annual Report: 2007-2008**

## Summary

Access to the outdoors is very important to many of Scotland's people, providing opportunities to enjoy our exceptional natural environment and greatly enhancing our quality of life. But access also has much wider significance, making important contributions to many of the key national and local objectives that underpin Single Outcome Agreements. Outdoor recreation is of direct economic value, playing a key role in tourism, and is important for health, place-making and the creation of sustainable communities that encourage active travel. The Government aims to maximise these benefits through increased participation in outdoor recreation, measured through a National Performance Indicator concerning the proportion of adults making one or more visits to the outdoors per week.

The benefits of outdoor recreation are underpinned by rights of responsible access to most land and inland water, which were introduced by the Land Reform (Scotland) Act 2003 and are supported by the Scottish Outdoor Access Code. The National Access Forum advises Scottish Natural Heritage (SNH) and others on national issues relating to the implementation of these rights and, increasingly, on the role of access in relation to wider agendas. The forum brings together all those with an interest in outdoor access, including recreational users, land managers and public bodies, and plays a key role in the development of consensus on these issues.

This annual report summarises the work of the forum during 2007-08, including:

- input to SNH campaigns to promote responsible camping, and the development of guidance on the management of informal camping under Scottish access rights;
- ongoing work to develop guidance on communication between stalkers and hillwalkers, in particular through signs;
- the development of pilot guidance on large outdoor events within the Cairngorms National Park, which will now be taken forward at national level;
- work to raise the profile of outdoor access within the planning system and to encourage appropriate reference to access rights and responsibilities in the media, and;
- advising on responsible access and land management in specific settings including level crossings.

The forum's first independent Convenor, Bob Reid, has ably guided its work for the last four years, which have included the commencement of access rights and their early implementation, in particular through core path planning. Bob's term ends this year and the forum will enter a new phase in its work under the oversight of the new Convenor, Richard Cooke, aiming to build on these foundations and ensure that access rights work for everyone, providing a key asset to a modern Scotland.

## 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 the 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 Scottish access 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 Convenor's term lasts for four years and membership of the forum as a whole is reviewed on the same 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 (seven)
- 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](http://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 in place when access rights came into force in February 2005. This is the fourth Annual Report of the forum and describes the work that has been undertaken from September 2007 to October 2008.

## **Administration and structure**

When the forum was reconvened to support the implementation of Scottish access rights, 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 in early 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. This review cycle was to 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.

### ***Election of the next Convenor***

The present Convenor, Bob Reid, will step down after the forum meeting in November 2008. The forum is indebted to Bob for his enthusiastic and committed leadership, and his able external representation of the forum, during the last four years – which have been a very important phase in the implementation of Scottish access rights.

During 2008, full and corresponding forum members, and local access forums, were invited to suggest potential candidates who would be well placed to take over this key role, and two nominees were proposed. The forum met on 27<sup>th</sup> October to meet the nominees and make its decision, and elected Richard Cooke as its next Convenor. Richard will take up this role from the first regular meeting in 2009.

### ***Membership review***

During 2008, the forum has also completed the first review of recreation and land management full members as indicated above. This provided a helpful opportunity to update contact details for a number of corresponding member bodies whose contact information had lapsed, but did not result in any changes to the organisations that directly represent recreation and land management interests on the forum. In line with the agreed process, the review of public and 'other' full members will take place in 2009.

### ***New corresponding members***

There is growing recognition of the links between outdoor access and other important agendas, including health and quality of life, active travel, tourism and place-making. In conjunction with the review of full members, the forum has also considered whether additional bodies should be added its corresponding membership to ensure that these interests are fully reflected in its future work. As a result of this process, NHS Health Scotland and Greenspace Scotland have now become corresponding members, and a number of other bodies will be approached in the coming year. Following an approach from Fields in Trust (formerly the National Playing Fields Association), this body has also been added to the list of corresponding contacts.

## **Achievements during 2007-08**

During the last year, the forum has considered a variety of 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***

#### *Core paths planning*

A paper from the National Park Authorities to the February 2008 forum meeting considered a number of issues relating to core path planning, including the potential adoption of a co-ordinated monitoring framework to assess the condition of core paths. Discussion recognised that there is no formal requirement on access authorities to undertake such monitoring, noted the resource implications of such work, and recognised that circumstances will vary between different paths and different locations. It was suggested, however, that it might be helpful to identify a framework which might be used, on a voluntary basis, by other access authorities – and the Cairngorms National Park Authority (CNPA) and Paths for All Partnership (PFAP) are conducting further work to take this forward.

There was some discussion of the merits of a more consistent approach to core path designation between access authorities, particularly where potential core paths (including longer distance 'strategic' routes) cross authority boundaries. It was noted that the process is primarily intended to reflect local needs and priorities, and that the consultation phases of core path planning, and input from the SG/SNH/PFAP core path planning 'hub', should allow cross-boundary continuity to be addressed where necessary. The paper also noted some technical issues relating to the proposed representation of core paths on OS 1:25,000 maps. The forum discussed the relative merits of mapping core paths in this way and emphasised the potential role of online information provision, which could support wider efforts to increase participation in outdoor recreation. Core path planning is now included as a standing agenda item at all regular forum meetings.

#### *Access and planning*

The forum has considered the need for further action to raise awareness of access within the planning system. This discussion has been informed by a recent research study, commissioned by SNH, which suggested that access provision often assumes a low priority in development planning and management – and implied a need to promote good practice more widely. The forum will circulate the final version of this report, when available, along with a covering letter highlighting key issues, to a number of important contacts within the planning profession.

#### *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. These discussions have noted the changing context for local authority funding, which is now linked to Single Outcome Agreements, and that most access-related funding that was previously distributed through SNH grants to local authorities will be transferred to the main settlement from 2009-10. The national performance framework requires local authorities to report against a target to increase participation in outdoor recreation, and the importance of this performance indicator, in this new context, has been emphasised.

### *Monitoring of access-related issues and incidents*

Following previous discussion at the forum, the May 2008 meeting considered a paper which explored the range of existing systems to monitor emerging access issues and whether further action was needed to ensure consistent collation at national level, within the framework of the Concordat between local authorities and the Scottish Government. This discussion indicated a range of views on the need for additional voluntary data collation and the relative merits of relatively structured and more informal approaches. It was suggested that a seminar could provide an opportunity to pool experience of emerging issues, but initial soundings with access authorities have suggested that resource constraints may preclude further action at the present time.

### *Legal judgements*

The forum discussed a recent legal judgement concerning access to the grounds of Boquhan House (near Stirling), against the background of previous judgements which related to the interpretation of the Act and Code. The outcome was broadly welcomed and was considered to be largely consistent with the approach taken in the Code, although the resource implications of such cases for those involved were noted. 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 the forum will monitor and discuss any further cases as required in the future.

### *Access and the media*

A paper from the Scottish Canoe Association (SCA) to the May 2008 meeting considered media-friendly shorthand phrases that might be used to describe the Scottish access legislation. Some members favoured the continued use of the term 'right to roam', which is widespread in the media, but there was also a strong counterview that this term underplays the responsibilities that accompany these rights. There was some support for the simple term 'Scottish access rights' and the forum Convenor and Secretary now routinely use this phrase when referring to Part 1 of the Land Reform Act.

### *Access and outdoor centres*

Dave Spence, Chief Executive of Scottish Outdoor Education Centres (SOEC), gave a presentation to the May 2008 forum meeting highlighting a number of concerns relating to access within the grounds of such centres - which primarily related to the compatibility of public access with child protection obligations. In discussion, forum members noted that these centres are not classed as 'schools' under the Education (Scotland) Act 1980 and their grounds are not generally excluded from access rights, but that some areas will be excluded as 'privacy zones' or 'land set out for a particular recreational purpose' under Sections 6 and 7 of the Act, and this will include many of the areas that are most intensively used by educational groups. Members also emphasised that various management options can be used to address any residual conflict between educational and recreational users, including the routing of paths – and that these could be discussed with access officers (and if necessary local access forums) in the light of circumstances at each centre.

### *Other areas of work*

The forum has contributed to various initiatives by correspondence, including input to a study led by Forest Research on peri-urban roe deer and a Scottish Government consultation on changes to the regulations controlling muirburn.

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 the AGM of the Association of Deer Management Groups (ADMG), a Ministerial event on rural issues arising from climate change (linked to consultation on proposals for a Scottish Climate Change Bill), and meetings of the Aberdeenshire, Dundee and Perth & Kinross local access forums. The Secretary has also provided updates on NAF activity to the Pan-Highland Local Access Forums Conference and in response to various requests.

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

#### *Camping*

The forum has established a dedicated sub-group, chaired by Forestry Commission Scotland (FCS), to take forward action to address various issues which relate to informal camping. Following initial work to gather information about the nature and extent of these issues, recent effort has been focused on promoting responsible behaviour among campers and developing guidance for land and recreation managers dealing with camping-related problems, working in close liaison with SNH's Communications & Promotions Unit. A full list of sub-group members is attached in Annex 3.

Various lines of work have been taken forward to help raise awareness of responsible behaviour among different groups of campers. Discussion within the sub-group has helped to identify key messages to inform a press advertising campaign, which has been co-ordinated by SNH. Phase 1 of this campaign has aimed to raise awareness and provoke small changes in behaviour among comparatively receptive users, and has included press adverts which appeared in mass circulation newspapers and specialist magazines during 2008. The advert has also been produced as a poster for local use which is available online at [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com). Other members of the sub-group have contributed to this effort by promoting responsible camping through communication with their members, including adverts or articles in their newsletters. Swing tags have also been developed for attachment to tents to promote responsible camping at the point of sale, and are being distributed by some outdoor retailers.

This has been accompanied during 2008 by phase 2 of the campaign, aimed at 'heavyweight' roadside campers who are gathering to drink and party. This group is harder to define and target, and is likely to be less receptive to the key messages. This phase of the advertising programme, based on the *Don't Mess with Nature* theme, was therefore developed with the help of a media agency and market tested using a sample of the target audience (predominantly young males) – which resulted in a very positive response. This advertising theme has been used in a variety of contexts, including major music festivals and petrol stations *en route* to popular camping areas, to try and reach this relatively inaccessible audience.

This educational work has been supported by initiatives to support land and recreation managers dealing with irresponsible camping. Following a successful event last year, SNH hosted a further *Sharing Good Practice* seminar in Birnam during April 2008, with input from sub-group members, to share experience in dealing with problems associated with camping. The sub-group has also developed guidance on the management of camping-related issues. This indicates the scope of access rights with regard to informal camping, provides a checklist of responsible, irresponsible and criminal behaviour relating to camping, to help in dealing with issues at the time they occur, and sets out a range of approaches to help manage camping on a more strategic, long-term basis. The forum will consider a final draft

of this guidance at a forthcoming meeting, and a finalised version will then be made available at [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com) .

### *Events*

Previous discussion at the forum has highlighted a number of issues relating to large outdoor events and has identified a need for guidance to assist event organisers, land managers and others, set in the context of the Code. The forum took some preliminary steps to prepare the ground for this process during 2006-07, including initial contact with the Institute of Fundraising and EventScotland (which is now a corresponding member of the forum), and this should help to ensure the necessary input from event organisers and to disseminate the resulting guidance.

The Cairngorms National Park Authority (CNPA) Outdoor Access Strategy for 2007-2012 was approved last year and included a commitment to develop guidance on organised outdoor events for both event organisers and land managers. In discussion with CNPA, it was agreed that the development of guidance for the Park would be used to work through many of these issues and lay the foundations for the preparation of national guidance. The drafting of Park-wide guidance has been led by CNPA during this year and was guided by a small steering group comprising representatives of local event organising, commercial and land management interests, and the NAF Secretary - to link with discussion at the forum. CNPA organised a workshop at the Lecht in November 2007, with support from SNH, to encourage input from a range of interested parties, and the process was also informed by discussion with the Cairngorms Local Outdoor Access Forum. CNPA launched a formal consultation on draft guidance in July 2008, resulting in further comment from a range of stakeholders, and revised guidance will shortly be considered by the Park Board.

The next meeting of the NAF will consider the process by which this guidance should be developed, as necessary, to meet national needs – and this work will be taken forward during 2009.

### *Access and stalking*

The forum has established a sub-group to consider the principles underpinning communication between walkers and stalkers within the framework provided by the Code. The work of the group is particularly focused on signage, but this process will necessarily consider the whole range of potential communication mechanisms and will clarify key principles that will apply across all of these approaches. The sub-group is chaired by Roddy Fairley (SNH) and a full list of members is attached in Annex 3.

The sub-group has met twice during 2008 and has developed draft guidance and sign templates for land managers. The guidance is intended to have a strong practical focus, demonstrating the scope for using different approaches to reflect circumstances on different estates. The draft guidance and templates will come back to the forum for consideration at its first meeting in 2009, and will then be made available at [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com). This guidance will also form the basis of a *Sharing Good Practice* event which will take place in Fort William in March 2009.

The outcome of this process will inform ongoing discussion between the Mountaineering Council of Scotland (MCofS), Scottish Rural Property & Business Association (SRPBA), ADMG and SNH regarding the future of the *Hillphones* scheme and a possible web-based replacement for *Heading for the Scottish Hills*, a publication which provided estate contact details for hillwalkers, but which is now out of date and out of print. This proposal will also be discussed at the forum in early 2009.

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

### *Access across level crossings*

The forum has previously been engaged in discussion with Network Rail (NR) to develop a management framework for access across 'authorised user' level crossings which meets the needs of users and satisfies the operational safety requirements of the railway. This process has continued during 2008, with a particular focus on access routes across railways that have been identified in emerging core paths plans. Although discussion is ongoing, provisional agreement has been reached on a number of key points, including:

- clarification that access rights apply to overbridges and underpasses and that such routes would be preferred options where proposed core paths cross railways;
- clarification of the status of access across level crossings, which are excluded from access rights under Section 6(1)(g) of the Land Reform (Scotland) Act (LRSA) and are 'contiguous' land under Section 10(1)(d), and;
- the suggestion that if a level crossing is the only option for a potential core path, Network Rail might consider this through the risk assessment process that is being applied to all 'authorised user' crossings.

The forum has written to Network Rail to seek an update on the progress, at national level, of the risk assessment process noted above. The forum has also offered to help disseminate guidance on the safe use of level crossings as set out in a video entitled *On The Level*. Further discussion will also be needed to ensure that the needs of horse riders and disabled users are reflected as appropriate in the management of such crossings.

A UK-wide review of the law relating to level crossings is currently underway and is being led, north of the border, by the Scottish Law Commission. Several forum member bodies have already contributed to preliminary discussions to inform this review, which provides a helpful opportunity to clarify and modernise the legal framework, and further input is anticipated during 2009.

### *Off-road motorcycle provision*

The Scottish Autocycle Union (SACU) has sought the forum's endorsement for a national review to assess the need for managed facilities for off-road motorbikes and quad bikes. A facility of this type has been established in North Lanarkshire and is being promoted as a positive example of such provision. Motorised recreation is within the remit of the NAF insofar as it interacts with activities within access rights, and the Convenor attended a Parliamentary event organised by SACU to lend support to this proposal.

## ***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 noted in the Introduction to this report. 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](http://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.

Two annual joint meetings with the local access forums have taken place during the period covered by this report. The third joint meeting took place in Aberdeen on 31<sup>st</sup> October 2007 and opened with a keynote presentation by Peter Russell (Rural Director, Scottish Government), who provided an update on progress with implementation of the access legislation. This was followed by discussion of work currently being undertaken by the national forum and presentations from the local forums covering Aberdeen, Aberdeenshire, Moray and the Cairngorms National Park. Major themes included core path planning, the roles of the local forums in relation to development planning and management, and the relationship between their roles and those of the access authorities.

The fourth joint meeting took place in Ayr on 17<sup>th</sup> September 2008. This year's keynote presentation was given by Richard Wakeford (Director-General Environment, Scottish Government), who highlighted the contribution of access to all of the government's strategic objectives, including its importance in relation to health and quality of life, active travel and tourism. This was followed by presentations on access rights in Sweden, implementation of the SNH policy statement *Enjoying the Outdoors*, which aims to increase participation in outdoor recreation, and an update on the work of the NAF. The afternoon session included presentations on the management of access on a local golf course and contributions from three of the local forums in the immediate area. These included discussion of the involvement of local forums in decision-making, issues relating to informal camping and the participatory process by which North Ayrshire Council has developed its core paths plan, which has involved very active input by the local access forum. The session concluded with a presentation from East Renfrewshire Outdoor Access Forum which suggested the use of a web-based discussion group to encourage networking between local access forums – and it was suggested that this forum could take soundings more widely to establish the likely level of interest in such an initiative.

The format of these meetings was different to that of previous years, with no NAF business meeting beforehand and correspondingly more opportunity for discussion - and feedback from delegates suggested that this approach was well received. The format of these events will nonetheless have to be kept under review to ensure that they remain useful to LAF members, not least as their focus shifts from core path planning to wider local access issues.

#### *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 PFAP), and members of either group can relay matters for discussion by the other body at any time. This process has continued during the past year, with the NAF Secretary updating the Access for All Forum on NAF activity. A seminar took place in Battleby in October 2008 to explore the potential synergies between Local (Outdoor) Access Forums and Local Disability Access Panels and included discussion of the roles of the NAF and Access for All Forum. This

event, organised by PFAP, was intended to promote greater recognition of these links among members of both types of local forum.

Following problems which arose at a forum meeting early in 2008, the NAF has re-emphasised its commitment to ensuring that the venues used for its meetings are fully accessible. The range of venues within the Perth area that meet this requirement is relatively limited and this is consequently an ongoing task. As noted earlier, the second phase of the review of NAF full members is due to take place next year and this will provide an opportunity to consider whether current liaison methods ensure sufficient input to the forum's work from all equalities communities.

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 for all regular meetings, can be obtained at [www.outdooraccess-scotland.com](http://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

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Leachkin Road  
Inverness  
IV3 8NW

01463 725316 (direct)  
[mark.wrightham@snh.gov.uk](mailto: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  
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## Annex 1: Current members of the National Access Forum

Full members are indicated in **bold**; the remaining bodies are corresponding members.

<b>Recreation bodies within access rights</b>	<b>Public bodies</b>	<b>Other relevant interests</b>
<p><b>British Horse Society Scotland</b> British Cycling <b>Cyclists Touring Club Scotland</b> International Mountain Bicycling Association-UK <b>Mountaineering Council of Scotland</b> National Caving Association <b>Ramblers' Association Scotland</b> Rough Stuff Fellowship Royal Yachting Association (Scotland) Scottish Amateur Rowing Association <b>Scottish Canoe Association</b> Scottish Carriage Driving Association Scottish Cycling Union Scottish Equestrian Association Scottish Hang Gliding &amp; Paragliding Federation Scottish Hill Runners Scottish Orienteering Association <b>Scottish Sports Association</b> Snowsport Scotland Sub Aqua Association (Scotland) Trail Cyclists Association</p>	<p>British Waterways Scotland <b>Convention of Scottish Local Authorities</b> EventScotland <b>Forestry Commission Scotland</b> Health &amp; Safety Executive Historic Scotland Ministry of Defence <b>National Park Authorities</b> NHS Health Scotland Scottish Enterprise <b>Scottish Natural Heritage</b> <b>Scottish Water</b> <b>Sportscotland</b> Transport Scotland <b>Visitscotland</b></p>	<p>Association of Scottish Community Councils Cycling Scotland <b>Farming &amp; Wildlife Advisory Group</b> Fieldfare Trust Fields in Trust Greenspace Scotland 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 <b>Scottish Rights of Way &amp; Access Society</b> Sustrans Scotland Walking on Wheels Trust</p>
<b>Land management bodies</b>	<b>Other bodies</b>	<b>Professional bodies</b>
<p><b>Association of Deer Management Groups</b> Association of Salmon Fishery Boards <b>British Association for Shooting &amp; Conservation</b> <b>Confederation of Forest Industries</b> <b>Historic Houses Association of Scotland</b> <b>NFU Scotland</b> Scottish Crofting Foundation Scottish Estates Business Group Scottish Golf Union <b>Scottish Rural Property &amp; Business Association</b></p>	<p><i>Education bodies</i></p> <p>Boys Brigade Field Studies Council Girls Brigade Guide Association Scotland Outward Bound Scotland Royal Highland Educational Trust <b>Scottish Advisory Panel for Outdoor Education</b> Scout Association Scotland Duke of Edinburgh Award Scheme</p> <p><i>Commercial/tourism bodies</i></p> <p><b>Activity Scotland</b> Association of Mountain Guides Association of Mountaineering Instructors British Holiday and Home Parks Association Scottish Chambers of Commerce Scottish Youth Hostels Association Trekking &amp; Riding Association of Scotland</p> <p><i>Conservation bodies</i></p> <p>Game and Wildlife Conservation Trust John Muir Trust National Trust for Scotland <b>RSPB Scotland</b> Scottish Environment Link Scottish Wildlife Trust Woodland Trust</p>	<p>Association of Chief Police Officers (Scotland) Association of Heads of Outdoor Centres 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</p>
		<p><b>Additional corresponding members</b></p> <p>Paths for All Partnership (agreed by NAF on 15.9.04 to provide link to Access for All (Scotland) Forum)</p>

## **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 National Access Forum sub-groups**

#### *Camping sub-group*

- Activity Scotland
- Association of Deer Management Groups
- Forestry Commission Scotland (chair)
- 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

#### *Stalking sub-group*

- Association of Deer Management Groups
- British Association for Shooting & Conservation
- Convention of Scottish Local Authorities
- Mountaineering Council of Scotland
- Ramblers' Association Scotland
- Scottish Natural Heritage (chair)
- Scottish Rural Property & Business Association

### **Annex 4: Meetings held during the last year**

- Joint meeting with local access forums – Aberdeen, 31st October 2007
- Meeting of stalking sub-group – Perth, 18<sup>th</sup> February 2008
- 12th meeting – 27th Feb 2008
- 13th meeting – 14th May 2008
- Meeting of camping sub-group – Perth, 27<sup>th</sup> August 2008
- Joint meeting with local access forums – Ayr, 17<sup>th</sup> September 2008
- Meeting of stalking sub-group – Perth, 22<sup>nd</sup> October 2008
- Meeting to elect Convenor – Perth, 27<sup>th</sup> October 2008

Regular forum meetings all take place in the Perth area.