ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE – 20 NOVEMBER 2012

ANGUS LOCAL ACCESS FORUM – MEMBERSHIP UPDATE

REPORT BY DIRECTOR OF INFRASTRUCTURE SERVICES

ABSTRACT: This report advises the Committee of the changes to the membership of the Angus Local Access Forum.

1. RECOMMENDATION

It is recommended that the Committee:

(i) agrees to the appointment of Ms Lesley Anderson as a Community Representative

(ii) agrees to the re-appointment of Mr Gavin Dobson as a Land Manager Representative.

2. BACKGROUND

2.1 The Land Reform (Scotland) Act 2003 required “that each Local Authority shall establish for its area a body known as the Local Access Forum”. The Act further specifies that the function of such a Forum will be to “advise the Local Authority and other person or body consulting the Forum on matters having to do with the exercise of access rights, the existence and delineation of rights of way or the drawing up and adoption of a plan for a system of core paths”.

2.2 The Act did not specify the makeup of the Local Access Forum and the Council agreed to follow the guidance produced at the time by “Paths for All”. This recommended that the Forum comprise four interest groups i.e. Users, Land Managers, Community Interest and Public Agencies. A total of four representatives are sought for each group other than Public Agencies but there is no minimum number required for the Forum to operate successfully; the more important aspect being that the Forum maintains a balance across the groups.

2.3 Members agreed the appointment of representatives to the Angus Local Access Forum in 2005 (report No. 519/05 refers). Consequent changes to the structure of the Forum were duly reported to members (report Nos. 1180/05, 1203/06, 722/09, 737/10; and 649/11 refer).

3. CURRENT POSITION

3.1 The Forum has a rolling programme with regard to replacement of representatives. A member of each of the three groups (land manager, user and community) was due to stand down from the Forum following the public meeting in June 2012. An additional Land Manager Representative was required following the resignation of Mr John Sutcliffe.

3.2 As on previous occasions a total of 450 people whose names are held on a database and who have expressed an interest in access issues, were contacted by letter seeking nominations for the vacancies. Nominations were also sought from those who attended the Access Forum’s annual meeting in June 2012.

3.3 Following this exercise only two persons put themselves forward for the User Representative and Community Representative. There were no applications received for the Land Management Representative vacancies.
4. **PROPOSALS**

4.1 Following discussion amongst the Community and User Representatives on the Forum it was agreed that Ms Lesley Anderson be recommended for appointment to the Forum as a Community Representative. They further considered that the other applicant did not have the necessary expertise to be considered suitable for the User Representative vacancy as it is important that this representative has the support and benefit of membership of a user interest group eg walking, cycling, canoeing etc. This leaves a vacancy to be filled in the future and the Forum agreed to contact various user groups/associations to seek nominations.

4.2 On the basis that there were no applicants for the Land Manager Representative, Mr Gavin Dobson agreed to be re-appointed to the Forum as a Land Manager Representative. This however still leaves a vacancy required to be filled in the future.

4.3 In accordance with the Land Reform (Scotland) Act 2003, the members of the Local Access Forum are to be appointed by the local authority. It is therefore recommended that the above candidates be appointed as members of the Forum.

4.4 A resume of the details of the candidates recommended is available at Appendix 1.

5. **RISKS**

5.1 There are no risks associated with the recommendations in this report. However, the risk to the Council of not agreeing to the proposed changes to the membership of the Forum is that it may be in breach of Section 25 of the Land Reform (Scotland) Act 2003 which requires the local authority when making appointments to the local access forum to ensure reasonable representation on the forum of various interest groups including landowners and a reasonable balance of these interests.

6. **FINANCIAL IMPLICATIONS**

6.1 There are no financial implications arising directly from the recommendations contained in this report.

7. **HUMAN RIGHTS IMPLICATIONS**

7.1 There are no human rights implications arising from this report.

8. **EQUALITIES IMPLICATIONS**

8.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

9. **ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT**

9.1 This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2011-2014:

- Our communities are developed in a sustainable manner.
- Our natural and built environment is protected and enjoyed.
- Our carbon footprint is reduced.

10. **CONSULTATION**

10.1 The Chief Executive, Director of Corporate Services, Head of Law & Administration and Head of Finance have been consulted during the preparation of this report.
11. CONCLUSION

11.1 Angus Local Access Forum has greatly assisted Angus Council with issues relating to the implementation of the Land Reform (Scotland) Act 2003 and more latterly with the progress of the Angus Core Paths Plan. The members of the Forum past and present are volunteers who have freely given their time and expertise for the benefit of outdoor access in Angus.

ERIC S LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

P&T/GWC/GEP/IAL
17 October 2012
ANGUS LOCAL ACCESS FORUM

Statement of applicants recommended for membership of the Forum

Ms Lesley Anderson

I was brought up on a farm and have now settled in Inchbare. I try to be responsible and involved in all local issues and feel membership of this forum would also benefit Inveresk Community Council of which I am a member. I am a good communicator, have open opinions and am incredibly proud of my area and the people who live here.

Statement of applicant renewing membership of the Forum

Gavin Dobson

Being on the edge of Kirriemuir, Logie is a microcosm of the issues faced by all farmers on the edge of towns. We have experience of tackling these issues in a constructive way and could learn from what others do in a similar situation. Being in a formal Forum would help crystallise these issues and I would enjoy being part of a solution acceptable to all. I have a legal, farming and financial background and am at present Chair of the Forum.