

Agenda Item	5 (h)
Report No	PLA 01/17

HIGHLAND COUNCIL

Committee: Places Committee

Date: 15 June 2017

Report Title: Local Access Fora - Delegation of appointment of Councillor Representatives

Report By: Director of Development & Infrastructure

1 Purpose/Executive Summary

1.1 The Report advises that following the introduction of a statutory duty in 2005, the Council established six Local Access Fora in its area. The report provides information on the locus and membership of the Fora, and seeks approval for elected Councillor nominations to those Fora to be appointed by the respective Area Committee.

2 Recommendations

2.1 Members are asked to agree to delegate the appointment of Councillors to the Local Access Fora to the respective Area Committees.

3 Background

- 3.1 Section 25, Part 1 of the Land Reform (Scotland) Act 2003, which came into effect in February 2005, placed a statutory duty on the Council to establish at least one Local Access Forum within its area. Local Access Fora (LAF's) are advisory bodies without any executive powers but capable of offering advice on a wide variety of access related matters to the Highland Council as Access Authority.
- 3.2 The Land Reform Act prescribed possible areas of operation and interest for Local Access Fora. In the Government's view a Forum should:
- be involved in any review of the Council's overall Access Strategy and development of local area based Access Strategies.
 - help in the planning and selection of Core Path networks.
 - offer advice and guidance on disagreements between user groups e.g. cyclists and horse riders, anglers and canoeists.
 - contribute towards the design and content of leaflets, signs, and information about path networks and wider walking opportunities.
 - offer assistance in the case of access disputes if asked.

4 Legislative basis

- 4.1 The Land Reform (Scotland) Act 2003 required that Local Access Fora (LAFs) were to be entirely new bodies established under statute and that their function and membership was unlikely to be covered by any existing partnerships or groups.
- 4.2 The model for delivery of the access service is as follows:
- Caithness
 - Sutherland
 - Ross and Cromarty
 - Skye and Lochalsh
 - Lochaber (also taking in the Corrieyairack Pass to Garvamore in Badenoch and Strathspey)
 - Inverness and Nairn (including the northern end of Dava Moor up to Easter Cottartown)

(The majority of Badenoch & Strathspey is covered by the Cairngorms National Park acting as the Access Authority)

- 4.3 A review of the number and coverage of Local Access Fora is due to start, given wider changes to the Service structure. Any proposed changes will be considered by Committee at the appropriate time.
- 4.4 Practically, the maximum number of Forum members is set at 12 including two Councillors (although an exception has been made for the Inverness & Nairn Forum with 3 Councillors making 13 potential members).
- 4.5 The Forum membership appointed by the Council includes a balanced representation with three nominees selected from each of the following categories together with a nominee from the local Disability Access Panel:
- Land Managers – Estate owners, Farmers, Crofters, Foresters
 - Access users – Walkers, Cyclists, Horse riders, Canoeists

- Community groups – Community Councils, Environmental organisations, Local path development groups

5 Member Appointments

- 5.1 As outlined in 4.3 above Member nominations are being sought to each of the Council's six Access Fora. The Council is represented by two Councillors on each Forum apart from Inverness & Nairn which has three (two for Inverness and one for Nairn).
- 5.2 The Council's scheme of delegation currently states that the Planning Development & Infrastructure (PDI) Committee should appoint persons to the Local Access Fora. However, the scheme of delegation and precedent has also allowed for members of the categories outlined in 4.4 to be appointed by the respective Area Committees.
- 5.3 A paper presented to the PDI committee in August 2012 sought appointment of Councillors to four Local Access Fora and delegation of appointments to the Caithness & Sutherland Area Committee. At this time we are seeking approval of all Councillor appointments to be confirmed by the respective Area Committees as below:
- Caithness Area Committee- appoint 2 members to the Caithness LAF;
 - Sutherland Area Committee – appoint 2 members to the Sutherland LAF;
 - Ross & Cromarty Area Committee –appoint 2 members to the Ross & Cromarty LAF and the option to appoint 1 member relevant to Lochalsh to the Skye & Lochalsh LAF;
 - Skye & Raasay Area Committee- appoint 1 member and 1 reserve member to the Skye & Lochalsh LAF. The reserve member will be appointed if no Lochalsh representative is proposed by the Ross & Cromarty Area Committee;
 - Lochaber Area Committee – appoint 2 members to the Lochaber LAF;
 - Nairnshire Area Committee – appoint 1 member to the Inverness & Nairn LAF; and
 - City of Inverness Area Committee – appoint 2 members to the Inverness & Nairn LAF.

6 Implications

- 6.1 Resource – administrative costs only for which budget is already in place.
- 6.2 Legal – it is a statutory duty to establish a Local Access Forum with reasonable representation of various interests. It is the Council's discretion as to how this accurately represents their area in terms of numbers of Fora and appointment of its own members.
- 6.3 Community (Equality, Poverty and Rural) – There are no Community etc implication arising from this paper. Any proposed LAF structure changes will be the subject of a future paper to Committee.
- 6.4 Climate Change/Carbon Clever –None – as above
- 6.5 Risk – None – as above
- 4.6 Gaelic – None – as above

Designation: Director of Development & Infrastructure

Date: 2 June 2017

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