

Under the Land Reform (Scotland) Act 2003 every local authority is required to establish a local access forum in its area, more than one forum may be established. The function of the forum (as set out in the Act), is to advise the local authority (and others) on the exercise of access rights, rights of way, core path plans, and assist in dispute resolution.

1. Establishment

In 2004, six local access forums (LAFs) were established in the following locations: **Caithness, Sutherland, Ross & Cromarty, Inverness & Nairn, Skye & Lochalsh and Lochaber** and an annual Pan-Highland Access Forum. Each LAF originally had its own Access Officer (AO) and membership of up to 12 people, consisted of 3 land managers 3 access users 3 local communities and 3 agencies and 2 local councillors. A disability access representative was also included if one was representative of the area. The LAFs met quarterly and were supported by a Highland Council Committee clerk. LAFs operate as Council Committees although they are more informal in approach. The effectiveness and membership of each forum has varied over the years with some being consistent and well attended and others less so.

2. Role of the Forum

The functions of the LAF are to provide advice and comment on; the Core Paths Plan for their area, review cases regarding access rights, consider Exemption and Notice applications (s11, s14), as well as any other access project or national consultation of relevance to their area. Several members also attend the annual meetings with the National Access Forum (NAF). Input from LAF members has been invaluable on many of these issues and most particularly on Core Path Plans and assisting in resolving access disputes. In several cases the Access Forum involvement has prevented the need to issue s14 Notices which avoid the Council possibly being drawn into legal disputes. There was an average of 32 contentious issues discussed in the LAFs each year over the last 5 years.

3. Current Position

Since 2004 there has been a gradual reduction in Access Officers to the current position of 3 (2 FTE) Access Officers and 1 Access Manager (also has the additional responsibility for Long Distance Routes and Access Rangers). The March 2023 Highland Council budget was approved to include a planning enforcement element into the Access Officers remit for up to one third of their work time. This was effectively a cut of one Access Officer post spread between the three positions, reducing their work time availability on access issues. As a direct result one Access Officer resigned on 31st July and was replaced as of 13th November. This has required a change in the areas covered.

- One Access Officer covering Lochaber & Skye
- One Access Officer covers Lochalsh in addition to Inverness & Nairn
- One Access Officer covers Caithness and Sutherland
- Access Manager covers Ross & Cromarty, with occasional assistance on some cases.

Six LAFs continue to meet although most have lost some of their membership. The frequency of meetings has also been reduced to 2 per year, to better reflect workload and the resource required to service the LAFs. The Pan-Highland Forum was discontinued in 2009 as LAF members did not feel it achieved much other than some networking. This had been organised by Access Admin Assistant, this post was deleted following an earlier re-organisation & budget cut.

In 2011/12 discussions were held with each of the six LAFs regarding a potential re-structure to 3 Forums to mirror the Local Development Plan areas. This proposal was unanimously rejected by forum members as it was felt that both member interest and attendance would drop off as localism was diluted. It was also cited

that 'volunteer' members would have to travel further to meetings, resulting in higher costs in terms of time and expense.

In 2017 a further review was conducted with a view to reducing the costs of operating 6 LAFs and each LAF was consulted. The review concluded that a reduction to one or two LAFs held centrally would likely be more expensive due to travel costs and hospitality given that more members would claim these costs than do for local meetings. Each LAF rejected any change to the structure again arguing that local knowledge of a smaller area was an important benefit to the existing structure.

4. Review & Future

We now find ourselves having to review the LAF structure once more. Whilst cost savings would be helpful to the Council, the main reason for this review is a reduction in staff availability. Each Access Officer now has up to 33% less time to spend on access matters and must reduce time spent on most of their existing access duties, this includes the LAF.

The achievable option is that each Access Officer administers and attends one LAF for two meetings per year. Following discussion with the Officers this could be done in one of four ways, which would offer online or in-person attendance i.e hybrid meetings.

Option 1: Each Officer administers one LAF each, thus a total of 4 x LAFs in Highland representing the area the Access Officers cover i.e

- Caithness & Sutherland
- Ross & Cromarty (including all of Ward 5)
- Inverness & Nairn
- Lochaber & Skye

Option 2: Two Access Officers administer each LAF, thus a total of 2 x LAFs in Highland i.e;

- North Highland (Caithness, Sutherland, and Ross & Cromarty)
- South Highland (Inverness, Nairn, Skye & Lochaber)

Option 3: A combination of the above, thus 3x LAFs in Highland i.e;

- Caithness & Sutherland
- Ross & Cromarty (including all of Ward 5)
- South Highland

Option 4: Any of the above options entirely online.

5. Risks & Issues

- There is the risk that meetings could take longer to accommodate the issues from all areas within a combined LAF.
- There is the risk that members will be less engaged in issues out-with their geographical area of familiarity or knowledge.
- There is the risk that members are reluctant to travel the greater distance to meetings. This can be partly offset by rotating venues and setting up hybrid meetings.
- If members were willing to travel, it could increase the travel costs incurred to the Council, as currently only two members claim from all six fora. Reduced with hybrid meetings.
- Longer meetings should include hospitality, also increasing costs. Reduced with hybrid meetings.
- Should the number of LAF members increase to reflect larger areas? Initially it would be proposed that combined Fora should retain all existing members but then decrease to an agreed appropriate level with parity between the three categories. There should be at least one Ward member per former LAF area.

These proposals will be presented to each of the next available Forum meetings with an option preference being sought. A draft committee paper is to be produced by 2nd April 2024 for the IEE Committee on 2nd May.

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