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Loch Lomond & the Trossachs Local Access Forum

Summary Terms of Reference*

The Loch Lomond & the Trossachs Access Forum (LLTAF) is an independent entity established by the National Park Authority (NPA), acting in its capacity as an Access Authority, to meet the requirements of Part I of the Land reform (Scotland) Act 2003, Section 25. Whilst the NPA provides the secretariat for the Forum, the Forum is not a committee of the Authority but an independent, advisory body.

The below summary contains the key information about the formation, purpose, and operation of the Forum. Detailed procedural information is set out in the full Terms of Reference.

The Role of the Forum

The primary role of the forum is to provide advice, when requested, to the Access Authority (the NPA) and the public, on the operation and management of access rights and responsibilities, including* on:

- How access rights are applied
- Identification of rights of way
- Core Paths Planning
- Dispute resolution (where all parties agree to the Forum's involvement)
- Statutory consultations on the temporary suspension of access rights (Section 11 orders), and on access-related bylaws under Section 12 of the Act
- Publicising and promoting the Scottish Outdoor Access Code

**A full list of the role and functions is provided in the full Terms of Reference and in the Act*

The Forum and its members may also help share information and promote good practice and responsible behaviour through communications with their network of contacts.

Government guidance on Local Access Forums states:

One of the most important functions... forums will provide is that they will bring together different interest groups with a variety of experience and knowledge in different fields relevant to access rights and those with an interest in or affected by access rights. This bringing together of knowledge will be vital in advising and assisting local authorities in implementing.... access arrangements in their areas.*

The Role of the Access Authority (NPA)

The Access Authority has a statutory duty to establish an access forum, and this includes recruiting and appointing Forum members and may include providing secretariat support in the form of meeting administration and communication. The Authority may also reimburse forum member's expenses, facilitate site visits, and provide training, where this will assist the Forum in its work.

**P.69 Part I Land Reform (Scotland) Act 2003 – Guidance for Local Authorities and National Park Authorities*

In appointing Forum members, the Access Authority must 'have regard to' achieving a reasonable representation and balance in the Forum of:

- Users of access rights and those with an interest in access rights and rights of way, and/or the bodies that represent them;
- Landowners and land managers and/or the bodies that represent them.

As all areas of the Country are different, the guidance recognises that access authorities may also wish to appoint others with an interest in the operation of access rights so that their forum is tailored to the characteristics of the area.

Composition of the Forum

The Forum will normally comprise 10 to 12 members including a Convenor, a Vice Convenor and a representative of the National Park Authority's Board. Minimum and maximum numbers are set at 8 to 14 respectively to allow flexibility in the event of unforeseen circumstances. Meetings are considered quorate where 6 or more members are present.

Building on the statutory requirements above, Government guidance suggests some specific areas of interest that the Access Authority may wish to consider when appointing local access forum members, as follows:

- People with disabilities
- Those with an interest in natural and cultural heritage
- Recreational users, (e.g., walkers, cyclists, horse-riders, mountaineers, canoeists etc.)
- Land managers/owners
- Community Councils and other community groups.

Operational arrangements

Meetings take place up to four times per year, though frequency may be determined by forum business.

Members are appointed for a three-year term and may be reappointed up to a maximum of three terms. The Forum members elect* a Convenor, and, ideally a Vice Convenor, from among their number. In the event that no member wishes to take on such a role, the Forum may ask the Authority to appoint an external candidate, whilst always bearing in mind the need to balance the interests represented on the Forum.

The Convenor and, where relevant, the Vice Convenor, serve for a three-year term and may be reappointed once. A third term will be allowable in exceptional circumstances. Following this, (except in exceptional circumstances), a two-year interval must elapse before an individual will be eligible for re-election to the same post. However, an individual may be elected as Convenor immediately after serving as Vice Convenor.

**The procedure for electing a Convenor and/or Vice Convenor is set out at section 7. in the full Terms of Reference.*

Members are appointed in their own right and are not appointed to represent only the views of an organisation but rather those of the wider interest group to the best of their knowledge and experience. This means that where a forum member who has been appointed from a

representative body is unable to attend a specific meeting, they cannot be replaced by a substitute from the same organisation without the prior consent of the Access Authority.

A member may resign from the Forum at any time by giving four weeks' notice in writing. Members from representative bodies must resign if they no longer have the support of their organisation or cease to hold appropriate responsibilities. However, such a person may re-apply independently to represent the same area of interest on the Forum should a future vacancy arise.

Where possible, members are encouraged to seek the views of the interest group they represent, including, where appropriate, a specific body, and bring matters before the Forum as relevant.

Where the Forum considers specialist input would be beneficial, it can invite contributions from non-members, whether in person or by other means. The Forum may also, where expedient, set up temporary, topic-based sub-groups to address specific pieces of work. A sub-group may comprise both Forum members and non-members invited to contribute specific expertise.

Meetings

Meetings* may be held in-person at a pre-advertised venue, or by virtual means, including hybrid arrangements, to facilitate and promote inclusion. Meetings are open to the public but are not public meetings. Members of the public may attend meetings to observe, except during discussion of any confidential matter. Members of the public may also arrange to address the Forum, or raise issues for discussion, with the prior approval of the Forum Convenor.

Forum members have the opportunity to contribute items for the agenda with the Convenor before the agenda is set. Any papers, together with the agenda, are circulated to Forum members in advance of each meeting.

Forum agendas, minutes and any public papers are posted on the dedicated LLTAF pages of the NPA's website for public information and may also be requested by email. Future meeting dates are also displayed on the website.

**Detailed meeting procedures are set out in the full Terms of Reference.*

Additional arrangements

Site visits will be arranged as required by Forum business, or to allow Forum members to learn about a specific topic. For example, experiencing an access issue 'on the ground' can help Forum members when formulating their advice to the Authority or a member of the public.

Additionally, the Authority may provide training to members of the Forum as appropriate.

Expenses

Forum members may claim expenses incurred in attending Forum meetings and site visits.