

**MINUTE of the FIRST MEETING of the
CNPA ACCESS WORKING GROUP
Laggan Village Hall
6 November 2003 at 5.00 pm**

PRESENT

**Willie McKenna
Alastair Maclellan
Bob Severn**

Apologies: Richard Stroud; Joyce Simpson; Stuart Black

In Attendance: Kristin Scott

Summary of Action Points:

- Ascertain SNH timetable for submitting revised SOAC to Ministers (AP: KS)
- Establish to what extent and how SNH is preparing for awareness raising and education of SOAC (AP:KS)
- Draft a set of criteria for identifying external interests to invite onto Access Working Group and circulate for discussion at next meeting (AP: KS)
- Seek the whole Group's views on timing of subsequent meetings and confirm suitability of 21 November for the next meeting of the Access Group (AP: KS)

WELCOME AND INTRODUCTION

1. The initial meeting of the Access Working Group was held in the Laggan Village Hall on 6 November 2003. There was no need for formal introductions as Members were well acquainted.

BUSINESS

2. **Selection of Chairman:** Members agreed to appoint an interim Chairman which would be subject to ratification by the whole Group. Alastair Maclellan was nominated as interim Chairman by Willie McKenna and this was seconded by Bob Severn.
3. **Discussion of Remit & Provisional Outputs:** The provisional terms of reference for Working Groups circulated previously was tabled for discussion. By way of background information, KS provided an oral update on progress with implementation of the access legislation and in particular, information on the development of procedural guidance for 'access authorities' currently being prepared by the Scottish Executive. This guidance will be the subject of consultation and is expected in about January 2004. There will then be a period of several weeks before it is laid before Parliament for 40 days prior to approval. This could well be extended if the 40 days is

interrupted by the summer recess. Current thinking is that the final, authorised practice guidance for 'access authorities' may not appear until the autumn of 2004.

4. The Working Group was interested to ascertain the timetable SNH was working to for SNH Main Board approval of the revised *Scottish Outdoor Access Code* and submitting it to Ministers. Members asked that copies of the Land Reform Scotland Act (Part 1) be made available and there was discussion over one or two particular aspects of the access legislation in relation to prescription of use of paths. There was also discussion over the joint responsibility with SNH over promoting awareness and understanding of SOAC and how this might be delivered.
5. In terms of the provisional remit for the Access Working Group, members agreed the following:
6. The remit of the Access Working Group should be changed slightly to reflect the fact that this Group will develop an approach for establishing the Local Access Forum or Forums, rather than become the Local Access Forum. The Group also agreed that the description of the purpose of the Access Working Group might be expanded slightly to incorporate the two main statutory functions of the 'access authority'.
7. The Group felt that given the constraints placed by forthcoming Scottish Executive consultation on procedural guidance for 'access authorities' (on implementation of the access legislation), the short-term outputs as drafted needed to be modified slightly. The Group also came up with one or two additional short-term outputs and these, together with the slightly modified outputs, are listed below;
 - a. to develop an awareness and understanding of the statutory functions of the CNPA as 'access authority' under the Land Reform (Scotland) Act 2003.
 - b. to comment on Scottish Executive draft procedural guidance for 'access authorities' on implementation of the access legislation. Draft a response for CNPA Board to sign-off. (March/April 2004, dependent on timing of SE consultation).
 - c. to produce a report to CNPA Board by end of May 2004 for developing an approach for establishing one or more Local Access Forum and for delivering a Core Paths Plan.
 - d. to agree and establish a mechanism for inviting external interests to join the Access Working Group.
 - e. to develop a protocol for working in partnership with Local Authorities for implementation of the access legislation within the Park area.
 - f. to develop an advisory role in casework arising through activities associated with access and recreation (e.g. the off-road route, CORC etc).
 - g. to provide advice on staffing needs to deliver the CNPA's key statutory duties under the access legislation.
8. **Local Access Forum Seminar:** Details of a *Paths for All Partnership* seminar on establishing a Local Access Forum, scheduled for November 12, was circulated. KS plans to attend this and informed the Group that there would be space for any Board Member interested in attending. Members advised they would get back to KS on this.

9. **AOCB:** the question of when to hold these Access Working Group meetings was raised. Those present were content to utilise the same dates as Board meetings as far as possible. Members agreed however that it would be important to get the whole Group's views on this.

DATE OF NEXT MEETING

10. It was tentatively proposed that the Access Working Group would next meet after the CNPA Board meeting on **Friday 21 November at about 3.00 pm in Braemar** (subject to timing of the Board meeting and subject to agreement of the other members).
11. The meeting concluded at 6.45 pm.