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## CAIRNGORMS LOCAL OUTDOOR ACCESS FORUM

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**Title:** Involvement of Local Outdoor Access Forum members in access casework

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### **Purpose**

This paper consider the potential role for Forum members in becoming involved in dealing with specific access cases and highlights the benefits and weaknesses of such involvement.

### **Recommendations**

The Park Authority recommends that the Forum's involvement in casework continues on all cases that are novel and contentious. It further concludes that access staff value the opportunity to discuss individual cases with members who have a specialist knowledge or interest in a case but that individual engagement should not extend to involvement in meetings with the interested parties.

### **Background**

1. At the Local Outdoor Access Forum (LOAF) meeting of 24 January 2006 members expressed an interest in assisting in the resolution of access cases. The benefits of tapping into local knowledge, or areas of expertise, were discussed as was the potential difficulties with regard to consistency, health and safety and impartiality within the community. It was agreed that a short paper would be taken to the next Forum meeting highlighting the potential involvement of members.

### **Role of the Forum**

2. The statutory function of the Forum is to advise the Park Authority and any other party consulting the Forum on matters to do with the exercising of access rights and to offer assistance to parties on any dispute relating to access rights, delineation of rights of way or concerning core paths. (The role in resolving disputes is qualified in the legislation by only being activated where the offer of assistance is accepted.)

3. There is therefore the opportunity for the Park Authority to seek the Forum's advice on issues relating to access rights and to date this has happened on 3 occasions. It is the intention of the Park Authority to continue to seek the advice of the Forum on novel and contentious cases. To date, no third parties have sought the Forum's advice but it will be for the Forum to determine how they might assist if such requests are made. Moreover, there is an additional role for the Forum which is beginning to emerge. This is to advise and help develop Park-wide solutions to generic access issues such as facilitating multi-use access with regard to deer management, management of dogs on golf courses and guidance on wild camping.

### Individual engagement in specific cases

4. The legislation makes no reference to individual roles within the Forum and therefore it may be assumed that the functions of the Forum are collective rather than individual. That said, it is recognised that there is a great deal of valuable experience that can and does assist the Park Authority in dealing with specific cases.
5. To date the engagement of Forum members by Access staff has largely been restricted to seeking confirmation on matters of fact and has not involved joint site meetings or joint meetings with land managers or recreation interests. The advantage of this approach is that the local / specialist expertise is on hand but Forum members' involvement is largely anonymous. The disadvantages are that some Forum members may be frustrated by not having a more direct involvement where they might feel well placed to resolve the case.
6. A further advantage of this approach is that where cases do escalate and there is a need to involve the Forum, their engagement is seen as that of a semi-independent advisor. That perception of quasi-independence would be lost if Forum members became more overtly involved in access cases in their formative stages.

### Conclusions

7. It is the view of the Park Authority that the status quo offers considerable advantages over a more overt engagement with access casework for the reasons highlighted in paragraphs 4 to 6 above.

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