

Annex 1

MONITORING FORM

THE LAND REFORM (SCOTLAND) ACT 2003, PART 1: MONITORING OF PROGRESS, POWERS AND EXPENDITURE ON ACCESS

Why we are asking you to complete this monitoring form:

Part 1 of the Land Reform (Scotland) Act 2003 ('the Act') came into effect on 9 February 2005 to establish rights of responsible access to land and inland water for recreation, passage and other purposes. The Act gives a range of duties and powers to local authorities and National Park authorities ('access authorities'), including to uphold and facilitate access rights, and to plan a system of core paths to give the public reasonable access throughout their areas.

In order to monitor progress and the expenditure on these additional responsibilities, the Scottish Executive has established a monitoring regime to collect information from all access authorities on their progress and expenditure. The data received is compiled into a database for analysis, and to help answer requests for information at a national level.

You will note that the questions are divided into three sections, relating to general questions about access functions, the use of statutory powers, and expenditure. It is now the third reporting round, so at this stage you need to complete sections 1 and 2 of this form for the period 1 April 2006 – 30 September 2006. The form will need to be returned to us in October, and at the latest by 6th November 2006.

Scottish Executive contact:

If you have any questions or wish any further information on how to complete this form, please contact Malcolm Duce, Countryside Branch, Area 1J, Victoria Quay, Edinburgh EH6 6QQ on tel no: 0131 244 4439 or e-mail (malcolm.duce@scotland.gsi.gov.uk)

SECTION 1 - General Questions and Core Path Plans

To cover the period 1 April 2006 to 30 September 2006

The purpose of this section of the form is to gather information on local access forums, outdoor access strategies and paths including core path plans.

Local Access Forums

1) How many meetings have there been of the Local Access Forum(s) established under Land Reform (Scotland) Act 2003? (If none note 'none') Please provide details in the box below:

There have been three on the following dates: 22nd of April, 13th of June and 5th of September

Outdoor Access Strategy

2a) Does your authority have an Outdoor Access Strategy? **IN PREPARATION**

(please delete the two which do not apply)

2b) If yes, when was it adopted?
If 'in preparation' for the first time, when is it expected to be adopted?

MM/YYYY

January 2007

2c) When do you plan to review it? :

MM/YYYY

2011

Paths

3) Please record the total length of all paths and tracks signposted or waymarked for non-motorised access in the access authority area:

1615*Kms

***Please note this figure is based on best information to date but there may be gaps on promoted routes on which we have yet to have data. Once digitised data has been checked this figure may increase.**

Core Paths Plan

4a), b) & c) What are the access authority target dates for drawing up of a core paths plan?

	MM/YYYY
Start of public ('informal') consultations	09/2006
Start of section 18(1) ('formal') consultation	02/2008
Adoption of core paths plan	06/2008

4d) If there has been any slippage in this target since your last return please provide details:

There has been a slippage of one month to take into account the National Park Plan consultation, Outdoor Access Strategy consultation and school holidays

If the core path plan has not yet been adopted proceed to question 6.

5a) If the core path plan is adopted, please provide the total length of core paths:

Kms

5b) If the core path plan is adopted, please provide the length of core paths signposted or waymarked:

Kms

5c) If the core path plan is adopted, please provide the total length of core paths that the access authority maintains:

Kms

SECTION 2 - Exercise of duties and powers

For the period 1 April 2006 to 30 September 2006

The purpose of this section of the form is to gather information on the exercise of the various powers which the access authority has under Part 1 of the Act. When completing this section of the form, you may therefore wish to refer to the Act and to the guidance which was issued by the Scottish Executive to all access authorities in February 2005.

6) Please provide the number of Orders made by the authority under section 11 of the Act which have exempted land from access rights for less than 6 days (include a description of the reasons for each):

Total number issued – nil
Location , reason –

Please provide for this period:

7a) the number of written notices served under section 14 of the Act:

7b) the number of written notices served under section 15 of the Act:

8) the number of notices served under section 23 of the Act:

9) the number of land purchase agreements under section 16 of the Act:

10) the number of land purchase orders under section 16 of the Act:

11a) the number of new path agreements concluded under section 21 of the Act:

11b) the number of new path orders concluded under section 22 of the Act

12) Judicial determination - Number of summary applications served on the access authority under section 28 of the Act:

Total number – Nil
Location , subject -

Signature of access officer completing the form:

Date:

Signature of countersigning officer (line manager/departmental manager/director of service or equivalent) :

Date:

(this section should be completed on hard copy versions of the form only):

13. Contact details -

If contact personnel or addresses have changed, please provide update details:

Once you have completed these sections of the form, it should be returned to Malcolm.Duce@scotland.gsi.gov.uk by Monday 6 November 2006. Please also submit a signed hard copy of the form and send it to Malcolm Duce at the address shown on the front cover of the form.

SECTION 3 - Outline of expenditure

NOT TO BE COMPLETED AT THIS THIRD STAGE

The purpose of section 3 of the form is to gain an outline of total expenditures incurred by the access authority under Part 1 of the Act for the financial year concerned.

Please provide:

14a) the total expenditure on all path capital works (capital) by the access authority:

£

14b) the total capital expenditure from other sources (matched funding) which accompanied that capital expenditure by the access authority:

£

14c) the total expenditure on path maintenance works (revenue) by the access authority:

£

15a) the number of cases and the total expenditure under section 14(3) (removals of signs, remedial action)

No of cases	£	total
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15b) the number of cases and the total expenditure under section 23(4)(b) (recoverable reinstatement costs)

No of cases	£	total
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If a core path plan has not yet been adopted, please proceed to question 17

16a) If core path plan is adopted, the total core path capital works expenditure:

£

16b) If core path plan is adopted, the total core path maintenance works expenditure:

£

17a) Total number of access officers:

Full time
Part time
Total FTE

17b) Total expenditure on access officer employment costs:

£

18) Please provide a note of total running costs for each local access forum(s) (excluding the staff costs identified at question 17b):

£

19) Please provide total expenditure on publicising the Scottish Outdoor Access Code, as required under section 10(7) of the Act:

£

Other expenditure not listed above

20) Please provide details of all other relevant costs relating to the Act:

£	Total

Footnotes

The following provides supplementary information notes for questions being asked in the form:

Section 1 -

Ques 1) If there are more than one local access forums in your area, please enter separate answers for each forum.

Ques 2) The Outdoor Access Strategy may have slightly different names in different authorities, but is generally a partnership document involving public consultations which provides a strategic basis to action priorities in the development of outdoor access.

Ques 3) This is the total length in kilometres of all paths and tracks in the authority's area which have signposting and/or waymarking in place for non-motorised access, including those that were signposted before commencement of the Act. It is appreciated that this figure may not be immediately available in all areas (and so may be just an estimate for the first return) but it is considered to be a valid indicator which an access authority should know, to within a reasonable level of accuracy. It may involve contacting other signing agencies (eg. FC, NTS, Scotways, etc) if necessary for their assistance in data gathering. The figure would not include roadside pavements, nor paths which are only mapped rather than having signposts and/or waymarks.

Ques 4) Please provide the anticipated date when you expect to issue the notice and consultation under section 18 of the Act.

Ques 5a and b) As in question 3, these will be a single figure of the length in kilometres. 5b) will include paths signposted or waymarked before commencement of the Act.

Ques 5c) This will be the length in kilometres of the core paths which are in the ownership of the access authority together with any additional length for which the authority has undertaken regular maintenance responsibility.

Section 2 –

Ques 6) Firstly record the overall number issued in the monitoring period. Then record the address or location, with a 6-figure OS map reference, and a brief note of the reason for the exemption (eg, 'highland games', 'car rally', etc.).

Ques 7 – 11) Record the number of instances in the box provided, or 'None' if that is the case.

Ques 12) As with ques 6, firstly record the number issued in the monitoring period. Then record the date, the location, and a brief note of the general issue of the case (eg. declaration on land status in respect of access rights; declaration over exercise of access rights responsibly; declaration over conduct of land ownership; declaration over right of way, etc.)

Ques 13) You will only be required to complete this part of the form at this reporting round if there has been a change to the name of the contact person at the authority.

Section 3 –

Ques 14a) The definition of 'path' is the same as for paths/tracks in ques. 3 above. Record the total figure for all capital expenditure on path infrastructure works which has been spent by the access authority during the monitoring period under section 15 or other powers (including capital costs of core paths – see q. 16a below). Capital works on paths could include spend on creating a new path or upgrading an existing one to bring it into a fit condition for uses relating to the Act. Examples of this would include a specification survey, installing drainage, path surfacing, access infrastructure (gates, bridges, etc.), signposts and waymarkers and related landscaping. Costs recorded under 14a would exclude any matching funds to be shown in 14b. Emergency works may be included under capital eg. major repairs to path required as a result of flood damage.

Ques 14b) Record the total amount of matching funds, irrespective of sources, which have accompanied such capital expenditure by the access authority during the period.

Ques 14c) This is the total figure for the expenditure by the access authority on maintaining paths and path infrastructure (including any maintenance costs on core paths – see q. 16b below). Maintenance works on paths would include spend on routine maintenance tasks which keep a path in a fit condition for use - eg. clearing blocked drains, litter collection, repairs to surface, signs and furniture, or strimming verges and overhanging vegetation.

Ques 16a) This figure for the capital expenditure on core paths infrastructure will be a sub-component within the overall figure given in answer to ques 14a, and will relate to the same types of work.

Ques 16b) This figure for any expenditure by the access authority on maintenance works on core paths will be a sub-component within the overall figure given to ques 14c, and will relate to the same types of work.

Ques 17a) Record number of full-time and part-time access officer posts, and the number of full-time equivalents

Ques 17b) Record the total figure to include salary and associated employment costs (such as NIC contributions, mileage costs) of the staff shown under 17a. (Please note that data on ranger posts is not required, as this will be available from other sources).

Ques 18) This will be a total figure estimated to include as appropriate costs of administrative support, room hire, allowances, etc. directly incurred in running the local access forum. If the access authority has more than one forum for its area, please provide separate figures for each forum if possible.

Ques 19) Record a total figure for expenditure on publicising the Scottish Outdoor Access Code, to include as appropriate costs of printing, distribution, etc. If publicised in conjunction with other promotional events, please provide a proportionate estimate.

Ques 20) Please record any other costs relating to the Act, with a note of the general nature of these costs.