

A NATIONAL ACCESS FORUM FOR SCOTLAND:

A CONSULTATION PAPER

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1. INTRODUCTION TO THE CONSULTATION

1.1 The Access Forum was set up in 1994 to promote debate between recreation and land managing interests and the main public bodies with a role in open-air recreation. Its first priority was to draw up a national Concordat on access to Scotland's hills and mountains. More recently, the Forum advised Scottish Natural Heritage (SNH) and the Scottish Executive on future arrangements for access to the countryside and on a draft Scottish Outdoor Access Code and these provided the basis for the Land Reform (Scotland) Act 2003.

1.2 The Land Reform (Scotland) Act 2003 establishes access rights and responsibilities, and a new Scottish Outdoor Access Code will provide a detailed reference point for these. The Act also says that SNH must consult relevant bodies in reviewing the operation of the new Code. Although the legislation does not require there to be a national Access Forum, Ministers made clear in Parliamentary debate that they expected SNH to convene a national Forum to help with this work.

1.3 It is timely, therefore, to consider what sort of national Access Forum is needed in the future. **This consultation paper seeks your views on this issue and the best way forward.** Your responses will help SNH and the Access Forum to decide on the way ahead.

1.4 **We would like to hear your views by 30 June 2003.**

1.5 The paper describes the background to the Forum and how it has worked so far, and identifies issues which need to be addressed. It then seeks your views on what sort of national Access Forum is needed for the future, what its role should be, what sort of structure and membership it should have, and how it should work.

2. HOW TO RESPOND

2.1 Please send your comments and thoughts to:

Mark Wrightham
National Strategy
Scottish Natural Heritage
2 Anderson Place
Edinburgh
EH6 5NP

2.2 If you wish to send your response electronically, please send it to:

mark.wrightham@snh.gov.uk.

2.3 **Please send in your response by 30 June 2003.** Unless you ask us not to, we will make all responses available for others to see after the consultation has ended.

2.4 If you require further copies of the consultation paper, please contact Dawn Anderson at the above address (or by email at dawn.anderson@snh.gov.uk). If you have any questions about the consultation, please contact Mark Wrightham at the above address. You can find further information on the consultation, and on recreation and access generally, on our website at www.snh.org.uk.

3. THE ACCESS FORUM SO FAR

3.1 In the early 1990's, there was no prospect of new legislation to address long-standing access issues. The voluntary approach of making legal agreements with land managers was the only way of improving access to the countryside and its management. An important step forward was made through the Letterewe Accord¹, in which the key interests came together to discuss access issues.

3.2 The idea of a national Access Forum grew from this. It came together with the support and assistance of Scottish Natural Heritage (SNH) in early 1994 as a voluntary association of representative bodies for land management and recreation, and of public bodies with a role in open-air recreation. SNH recognised the importance of having a national Access Forum in its policy statement *Enjoying The Outdoors: A Programme For Action* (SNH, 1994). This statement set down the current role of the Forum as providing "...a continuing means of liaison on the general issues and principles of access, and to debate and seek resolution of the key access issues of the day...". Its current objectives are to:

- assist liaison between the main interest groups involved in access for open-air recreation in order to promote better understanding of their concerns and needs; and to
- develop and promote mutually acceptable principles for the provision and management of access, which take full account of land management needs and the conservation of the natural heritage.

3.3 It has also worked to resolve major access issues through dialogue, leaving specific access cases to be resolved locally.

3.4 From 1994 to 1997, the main focus of the Access Forum's work was on access to hill land. This resulted in *Scotland's Hills and Mountains: a Concordat on Access* being agreed and published in 1996. This concordat was then supported through the *Hillphones* service², a model deer management sign and *Care For The Hills*.

3.5 In 1996, the Access Forum agreed that access over inland water needed a similar approach. The Access Forum (Inland Water) was set up with the same broad objectives as the Access Forum but with a focus on access over inland water for water-based recreation and with secretariat support provided by sportscotland. Although the Access Forum (Inland Water) sought to clarify and interpret the law relating to access on inland water, it focussed more on the management of access.

¹ The Letterewe Accord was a voluntary agreement between recreational bodies and the owner of the Letterewe estate about recreational access on the estate.

² The Hillphones service provides daily information to hillwalkers and others on where deer stalking is taking place on particular estates.

3.6 Since late 1997, the work of both the Access Forum and Access Forum (Inland Water) has almost entirely focussed on advising SNH and the Scottish Executive on possible changes to access laws and on a draft Scottish Outdoor Access Code. Since mid-1999, the two groups have met as one Access Forum to finalise the advice and to draft the Code. This work has given the two groups a unique influence on the development of policy and legislation.

3.7 In setting up the Access Forum, it was agreed that its membership should be small, balanced and representative. Its initial membership reflected its early focus on access to the hills. It was intended that the Forum, in time, would address access issues for the lowlands and that its membership would change to reflect this.

3.8 In 1997, to reflect the wider issues being discussed, the Forestry Commission, Scottish Crofters' Union and Scottish Rights of Way & Access Society were added to the membership of the Access Forum. To address an issue of land management interests being under-represented at joint meetings of the two Forums, the Royal Institution of Chartered Surveyors, Historic Houses Association of Scotland and the Farming & Wildlife Advisory Group (Scotland) were invited in late 2002 to attend meetings during the finalisation of the Scottish Outdoor Access Code. The current membership of the Access Forum and Access Forum (Inland Water) is:

	Access Forum	Access Forum (Inland Water)
Recreation bodies	Mountaineering Council of Scotland Ramblers' Association Scotland Scottish Countryside Activities Council Scottish Rights of Way & Access Society Scottish Sports Association	Royal Yachting Association (Scotland) Scottish Anglers' National Association Scottish Canoe Association Scottish Sports Association
Land management bodies	Association of Deer Management Groups National Farmers' Union of Scotland Scottish Crofters' Union Scottish Landowners' Federation	Association of Salmon Fishery Boards National Farmers' Union of Scotland Scottish Landowners' Federation
Public bodies	Convention of Scottish Local Authorities Forestry Commission Scottish Natural Heritage Sportscotland Visitscotland	Convention of Scottish Local Authorities Scottish Natural Heritage Scottish Water Sportscotland Visitscotland
At joint meetings of both groups, the Farming & Wildlife Advisory Group, Historic Houses Association of Scotland and the Royal Institution of Chartered Surveyors are also present. For these meetings, the dual membership of the National Farmers' Union for Scotland, Scottish Landowners' Federation, Scottish Sports Association and the Convention of Scottish Local Authorities ends.		

3.9 Advising SNH and the Scottish Executive on possible changes to access laws and on a draft *Scottish Outdoor Access Code* resulted in a significant workload. Between early 1998 and the end of 1999, for example, the Access Forum met 12 times and the Access Forum (Inland Water) met 8 times. Between September 1998 and 2000, there were 7 joint meetings. Three sub-groups were established to: investigate existing access laws (4 meetings); prepare a draft Scottish Outdoor Access Code for consideration by the full Forum (5 meetings);

and, prepare detailed proposals relating to paths and tracks (5 meetings). There have also been 4 workshops and seminars hosted by the Forum.

3.10 Throughout 2001 and early 2002, when there was consultation and active debate on the draft legislation, the Forum did not meet. This was perhaps inevitable given that each body had to focus on the details of the Bill as they affected their membership. After the publication of the draft Land Reform (Scotland) Bill by the Scottish Executive, the National Farmers' Union for Scotland withdrew temporarily from the Access Forum. By May 2002 it had rejoined and a joint meeting of the two Forums was held in that month. There was also a joint meeting in February 2003 to advise SNH on final changes to the consultative draft of the Scottish Outdoor Access Code.

4. LOOKING TO THE FUTURE: SOME ISSUES

4.1 This section looks at the strengths and weaknesses of the existing Access Forum and Access Forum (Inland Water) (hereafter referred to as the “Access Forum”) and at some issues which might influence its future.

4.2 The existing Access Forum has several strengths, including:

- **A proven track record of delivery.** In 1996, it agreed a national concordat on access to Scotland’s hills and mountains, and this was supported by related initiatives, such as *Hillphones*. It also advised SNH, on time, on possible changes to access laws, and on a draft Scottish Outdoor Access Code. It influenced, to a very considerable extent, the basic content of the Land Reform (Scotland) Act 2003.
- **It is well-recognised and was not imposed on any interest group.** The work described above has given the Access Forum a high profile and it is well recognised by the groups involved in access for open-air recreation. As it is a voluntary association of bodies, it was not imposed on any particular group and this has encouraged the members, through constructive debate, to reach consensus on many issues.
- **It encourages frank debate between the main interests.** As meetings are not open to the public, the Forum has been able to act as a negotiating body between the parties, allowing detailed debate on critical issues in ways that might be more difficult in a public meeting.

4.3 The existing Access Forum has several weaknesses, including:

- **The membership is incomplete and largely self-selected.** The Forum is a voluntary association of bodies with an interest in access and open-air recreation. Whilst the membership has been increased to cover wider access issues, there has been no rigorous process for judging who should be represented.
- **The status of its work is often unclear.** Whilst the views reached present a collective view adopted by the members of the Forum, they are not binding on the constituent member bodies. The Forum relies on its individual members acting as a two-way channel of communication with the constituent bodies. There is a difficult balance to be struck here. On the one hand, the Access Forum is unlikely to work unless there is a willingness on the part of all of the members to adopt common positions where these can be agreed. On the other hand, as a voluntary association of member bodies, agreement may not be possible on all matters and the best that can be achieved is to identify the different positions of the member bodies.
- **It is not very open or accountable.** The Access Forum does not meet in public (though this is also one of its strengths when it seeks to negotiate between different stances) and it has not been very good at telling the wider

public, or even the membership of some of its constituent bodies, about its work.

4.4 Apart from addressing the weaknesses noted above, there are three issues that need to be considered in reviewing the way forward for a reconstituted national Access Forum. These are described below.

- The Land Reform (Scotland) Act 2003 establishes statutory access rights and responsibilities, and gives local authorities new duties and powers in relation to core path networks, local access forums and for managing access. This framework is very different from the voluntary approach and the limited statutory duties and powers that existed before. This new regime needs to be supported by a willingness to enter into dialogue between the main interests and a national Access Forum can help this process.
 - Whilst the Land Reform (Scotland) Act 2003 provides no statutory basis for a national Access Forum, SNH must keep the Code under review, consulting relevant bodies in doing so and advising the Scottish Executive accordingly. Ministers have stated that they expect SNH to convene an Access Forum and have linked this request to the duty on SNH to keep the operation of the Code under review.
 - There are now greater requirements for open government and for the use of electronic means of communication. Whilst this largely applies to government bodies, the issues of openness and communication should be addressed.
1. **Are there other strengths and weaknesses that are not listed in paragraphs 4.2 and 4.3 above?**
 2. **Are there other issues beyond those listed in paragraph 4.4 above that should be considered in reviewing the way forward for the Forum?**

5. WHAT SORT OF ACCESS FORUM IS NEEDED FOR THE FUTURE?

5.1 A national Access Forum must have a clearly defined role, and an appropriate structure and membership. It must also work in ways that are as fair and open as possible. This section of the paper seeks your views on these issues.

a. *What should be the role of a national Access Forum?*

5.2 As discussed in paragraph 4.4, Ministers expect SNH to convene a national Access Forum to help in monitoring the new Code. Apart from this task, it is important to establish what other roles a national Access Forum should play.

5.3 It seems that the general purpose and objectives of the existing Access Forum (see paragraph 3.2) remain relevant. The need for liaison and dialogue between the main interests will become arguably more important as the new regime comes into force. The Land Reform (Scotland) Act 2003 places a duty on local authorities to set up local access forums covering their areas and so by 2004 there should be at least 32 such forums and possibly as many as 40 or 50. Although it will be for the local authorities and the local access forums to sort out how they will work, a national Access Forum could help the local access forums to learn from experience elsewhere in Scotland and encourage consistent interpretation of access rights and responsibilities across Scotland.

5.4 A national Access Forum could:

- debate issues of national significance arising from the implementation of the new legislation, and advise SNH and other bodies on appropriate action;
- advise SNH on the operation of the *Scottish Outdoor Access Code* and its promotion, addressing issues of interpretation, consistency and practice and suggesting changes where necessary;
- advise SNH on the wider implementation of the new access legislation, including the need for and content of guidance³, standards and other support required; and
- liaise closely with the new local access forums and advise SNH and local authorities on the effectiveness of the local access forums across Scotland as a whole, and on the degree of consistency in dealing with issues arising from the legislation and the promotion of the Code.

³ The Scottish Executive will issue formal guidance to support the implementation of provisions within the Land Reform (Scotland) Act 2003. A national Access Forum could be asked to advise on this guidance as well as more detailed guidance and advice developed by SNH and other public bodies.

5.5 Working with the new local access forums could be an important role, particularly as these forums will be able to advise on any matters to do with the exercise of access rights, including the Scottish Outdoor Access Code. A national Access Forum could work with the local access forums in several ways. First, it could liaise directly with the local access forums. Second, an association of forums could be set up, or a national Forum could host an annual conference to discuss common issues. Third, someone could represent the interests of the local access forums on the national Access Forum.

3. **Are the four key functions proposed in paragraph 5.4 appropriate?**
4. **If you think that a national Access Forum should have other functions, what should these be?**
5. **What do you think of the options in paragraph 5.5 for encouraging liaison between a national Access Forum and the new local access forums?**

b. What sort of structure should the Access Forum have?

5.6 The intention in 1994 was to establish a national Access Forum that would change over time according to the issues being addressed. Until 1998, the Access Forum and Access Forum (Inland Water) operated, and were seen as, two separate forums, although they had the same Chairman and many bodies were members of both. Since then, the two forums have met jointly and have effectively become one forum.

5.7 In looking ahead, there are at least three basic options:

- a) to continue with the present structure of a separate Access Forum and Access Forum (Inland Water);
- b) to create a single national Access Forum that meets regularly and deals with all issues; or
- c) to create a single national Access Forum that meets occasionally and conducts a significant part of its work through standing committees and/or several issue-based groups.

5.8 Having a separate Access Forum and Access Forum (Inland Water) (option a) allows a wider range of issues to be addressed by a wider range of people with relevant expertise. However, having a separate Access Forum and Access Forum (Inland Water) can be confusing at times and can provide an opportunity for inconsistencies to emerge at a national level between the two forums. Given that the new legislation and Code provides a unified approach to access over land and inland water, having more than one national forum no longer seems sensible.

5.9 Given the new legislation and the Code, it might be sensible to have a single national Access Forum (option b). This could be done either by rationalising the two existing forums or starting afresh. This approach should help to ensure a consistent interpretation of access rights and responsibilities at a

national level and provide simpler lines of reporting. However, it might be difficult to achieve an appropriate membership which reflects the full range of interested parties and keeping the Forum relatively small. Single national Access Forums have been established in England and Wales, though they have very different roles from that proposed in Scotland (see Annex 1).

5.10 The third option (option c) is to have a single national Access Forum, which would meet every three months or so, but conducting much of its work through two or more standing committees (such as high ground, low ground and water) and/or shorter-term sub-groups looking at specific issues which would report back to the national Access Forum. Deciding on appropriate membership of the single national Access Forum might still cause problems but the creation of standing committees or sub-groups would enable a wider range of bodies to be represented in one way or another. Greater support and co-ordination would be required to make this approach work.

6. Which of these three options would you favour and why?

7. If you think there are further options that we should consider, please outline them.

c. Who should be represented on a national Access Forum?

5.11 The membership of the current Access Forum and Access Forum (Inland Water) is guided by the need for it to be:

- small enough to work effectively;
- balanced, with roughly equal representation of recreation, land management and public agency interests;
- representative of the main “umbrella” organisations which can inform and consult their own constituencies about the Forum’s work.

5.12 The table below summarises the number of members of the various national access fora that exist in the UK. It is important to note, though, that those in England, Wales and Northern Ireland have a mainly consultative role and have not had the creative or negotiating role played by the forum in Scotland.

Scotland (Access Forum)	14
Scotland (Access Forum – Inland Water)	12
National Access Forum for England	18 (13 bodies, 4 independent members and the Countryside Agency; most public bodies are observers (see Annex 1))
National Access Forum for Wales	45 (see Annex 1)
Countryside Access & Activities Network (Northern Ireland)	33 (see Annex 1)

5.13 Obviously, the more bodies that are included the more representative a national Access Forum becomes, and a small membership can leave some groups or interests feeling excluded. A large membership can, however, limit effectiveness and restrict participation at meetings. Future membership could be guided by the following principles:

- a) there must be equal numbers of bodies representing land managing and recreational interests;
- b) each member organisation should have a membership-based structure, should be a recognised and authoritative body for a particular sector, and be able to demonstrate a commitment to communicate effectively to that sector;
- c) where the membership of bodies in a sector is not comprehensive (for example, many walkers are not members of any particular walking body), the body must be broadly representative and be able to encourage action by its members or within the sector generally to help adopt and act on stances agreed at Forum meetings; and
- d) all the key public bodies with a significant role in promoting, providing for or managing access and recreation should be represented.

5.14 Membership could be drawn from a wide range of interests, including recreational, land management, public bodies, communities and professional bodies.

5.15 A large number of governing or representative bodies cover the **recreational** activities which can be exercised under access rights, ranging from the Mountaineering Council of Scotland to the Scottish Canoe Association, from the Ramblers' Association Scotland to the Scottish Rights of Way & Access Society and the British Horse Society. There are also other groups of users, such as the less-abled, who are not represented directly by the bodies mentioned above. There are also the educational and commercial sectors, which could be represented by bodies such as the Convention of Scottish Local Authorities, Outdoor Learning Scotland, Activity Scotland.

5.16 As there are a lot of recreational bodies, they cannot all sit on the Forum without it becoming too large or unbalanced numerically in relation to land management interests. If they cannot all be represented, "umbrella" groups, such as the Scottish Sports Association and Scottish Countryside Activities Council, could play a valuable role in helping to achieve balance and representativeness. At present, membership is a mix of "umbrella" groups and single recreation bodies and so there is an issue about how a judgement should be made on which single recreation bodies should have a seat at the table.

5.17 There is a range of bodies representing **land management** interests, including the Scottish Landowners' Federation, the National Farmers' Union for Scotland and the Scottish Crofting Foundation. There are also more specialist interests, such as Timber Growers Scotland, the Association of Salmon Fishery Boards, the Scottish Golf Union and the Historic Houses Association for Scotland. Some conservation groups, such as the National Trust for Scotland,

John Muir Trust, Royal Society for the Protection of Birds and the Scottish Wildlife Trust are also major landowners, though there are currently no representatives from this particular group on the Forum.

5.18 Amongst the **public bodies**, local authorities are critically important and they can be represented through the Convention of Scottish Local Authorities. Other public bodies with a significant role in access for open-air recreation include SNH, sportscotland, VisitScotland, the Forestry Commission and Scottish Water. Some of these, such as the Forestry Commission and Scottish Water, also own and manage land.

5.19 **Other bodies** with an interest in access and recreation include conservation groups, such as the National Trust for Scotland, John Muir Trust, Royal Society for the Protection of Birds, Scottish Wildlife Trust and the Farming & Wildlife Advisory Group. Community councils can also play a role in access for open-air recreation and could be represented through the Association of Scottish Community Councils. There are also a range of professional bodies that play an important role, such as the Scottish Countryside Rangers Association, Royal Town Planning Institute in Scotland, Scottish Countryside Access Network, Royal Institution of Chartered Surveyors Scotland and the Scottish Gamekeepers Association.

5.20 One possibility might be to introduce non-fixed membership to accommodate this range of interests. This might involve some bodies sitting for a specific period of time before handing over to another body from the same sector. The choice of structure (see paragraphs 5.6 to 5.10) might also influence the number and selection of members.

8. **What are your views on the criteria (paragraph 5.13) that we should use to determine those bodies which should be members of a national Access Forum?**
9. **What would you consider to be the optimum size for the Forum, given the need for it to be effective, representative and balanced?**
10. **Who do you think should be members of a national Access Forum and why?**
11. **Do you think that membership should be fixed or be more flexible?**

d. *How should a national Access Forum work?*

5.21 The Government has indicated that it expects SNH to take a lead in convening a national Access Forum. However, this needs to be done in an open and inclusive manner so that all interests are comfortable with a reconstituted Forum. There are at least three issues to be addressed here: who should chair the Forum; who should provide the secretariat support; and, how openly should the Forum operate.

5.22 The role of Chairman is an important one in terms of leadership and in ensuring that discussions are balanced. The Access Forum was first chaired by Magnus Magnusson (at that time the Chairman of SNH) and he was followed by Roger Wheater (at that time the Deputy Chairman of SNH). The current chairman is Jeremy Rowan Robinson, a member of the Main Board of SNH and Chairman of its East Areas Board. This arrangement has generally worked well, particularly as much of the work of the Forum has been undertaken at the request of SNH. The appointment of a Main Board member as Chairman also provides an important link between the SNH Main Board and the Forum, and, as already mentioned, Government has indicated that it expects SNH to take a lead.

5.23 Alternative approaches could include appointing an independent chair or rotating the role of Chair amongst the three main interests represented on the Forum. An independent Chair would probably need to be drawn from outwith the recreational or land management interests, so is unlikely to come from within the Forum (unless the person came from a public body).

5.24 Secretariat support is essential if a national Access Forum is to be properly serviced and effective. Since 1994, SNH have provided the secretariat for the Access Forum and, since 1996, sportscotland have undertaken a similar role for separate meetings of the Access Forum (Inland Water).

5.25 Given the direction provided by Ministers that they expect SNH to convene a national Access Forum and given the period of change ahead, it might make sense to follow a familiar approach with SNH providing the necessary support. The close relationship between SNH and the interests represented on the Forum would continue, providing the Forum with an excellent opportunity to influence policy and practice, and provide an additional line of accountability for SNH's actions. An alternative might be for a national Access Forum to have its own secretariat funded by a consortium of public agencies and others. Whilst this might give the Forum a greater sense of independence, it might be difficult to achieve, would be at odds with the direction provided by Ministers, and would not necessarily be as well informed or more independent than if SNH took the lead.

5.26 The degree of openness is also an important issue. As the Forum has a small membership it is open to criticism that it is a small, self-selected group. However, one of the principles of working through the main representative and umbrella bodies is that Forum members are expected to communicate outwards to a wider constituency. The original terms of reference required that papers be circulated a month in advance of meetings to allow for this kind of wider consultation but, regrettably, this has never worked as well as it should. But, on the basis that not everyone with an interest can find a seat at the table, outward communication must be much improved if greater transparency and confidence is to be achieved.

5.27 One option would be to make the meetings of the Forum open to the public, as is done with the National Countryside Access Forum in England. However, the Access Forum in Scotland has been able to act as a negotiating body between the parties, allowing detailed debate on critical issues in a way that would be difficult in a public meeting. Indeed, it appears that the presence of an

audience can be a disincentive to full, open and honest debate on difficult issues as it is more likely that the parties would keep to their agreed sectoral lines.

5.28 Other ways of opening up the work of the Forum could include:

- a) agendas and papers for meetings, together with agreed minutes, being placed on the SNH and other websites as appropriate;
- b) an annual report of the work of the Access Forum being published;
- c) an annual meeting at which the work of the Forum and its members could be questioned by the public (including bodies not represented on the Forum).

5.29 Regardless of the approach, much depends on individual members playing a full and constructive role. It is also important that members are able to talk to their wider constituencies on the basis that every single body with an interest cannot be present at the table.

- 12. How should the Chair of a national Access Forum be selected?**
 - 13. Who do you think should provide the secretariat support for a national Access Forum?**
 - 14. How can the work of a national Access Forum be made more open without losing its strength in supporting full and constructive debate?**
 - 15. How can communication between Forum members and their constituencies be made more effective?**
-

- 16. Are there any other points you wish to make with regard to the future of the national Access Forum?**

6. KEY ISSUES FOR CONSULTATION

- 6.1 This section summarises all of the issues on which we would like to have your views. We need your views and observations in order to decide the most appropriate role, structure and membership for a national Access Forum.
- 6.2 The key issues for consultation are listed below.
1. Are there other strengths and weaknesses that are not listed in paragraphs 4.2 and 4.3 above?
 2. Are there other issues beyond those listed in paragraph 4.4 above that should be considered in reviewing the way forward for the Forum?
 3. Are the four key functions proposed in paragraph 5.4 appropriate?
 4. If you think that a national Access Forum should have other functions, what should these be?
 5. What do you think of the options in paragraph 5.5 for encouraging liaison between a national Access Forum and the new local access forums?
 6. Which of these three options would you favour and why?
 7. If you think there are further options that we should consider, please outline them.
 8. What are your views on the criteria (paragraph 5.13) that we should use to determine those bodies which should be members of a national Access Forum?
 9. What would you consider to be the optimum size for the Forum, given the need for it to be effective, representative and balanced?
 10. Who do you think should be members of a national Access Forum and why?
 11. Do you think that membership should be fixed or be more flexible?
 12. How should the Chair of a national Access Forum be selected?
 13. Who do you think should provide the secretariat support for a national Access Forum?
 14. How can the work of a national Access Forum be made more open without losing its strength in supporting full and constructive debate?

15. How can communication between Forum members and their constituencies be made more effective?
 16. Are there any other points you wish to make with regard to the future of the national Access Forum?
- 6.3 We will look at all responses carefully. Once we have considered your responses, we will seek the views of the existing Access Forum and Access Forum (Inland Water) on the main points raised. We will publish an assessment of the responses in the autumn. We will send a copy of this to everyone who responded to the consultation and place it on our website at www.snh.gov.uk
- 6.4 The Main Board of SNH will then consider the responses and the views of the existing Access Forum and Access Forum (Inland Water) and seek agreement on the best way forward. We would hope to be able to announce our conclusions towards the end of 2003.

ANNEX 1. NATIONAL ACCESS FORUMS ELSEWHERE IN THE UK

a. National Countryside Access Forum – England

The Countryside Agency established the Forum in 1998. The Chair of the Forum is Pam Warhurst (who is Deputy Chair of the CA). Membership is kept relatively small (see below). The Countryside Agency services the meetings and provides the papers. The meetings are open to the public, and about 40 – 50 people turn up at each meeting (mainly members of the Ramblers' Association). The minutes and papers are on the Agency's website. Meetings are held in London and round the country, sometimes with a linked field visit which is not open to the general public. Debate about legislative change on access in England & Wales was led by the then Department of the Environment and much of the work of the Forum has been about commenting on the measures and procedures for implementing the Countryside & Rights of Way Act 2000. Members are:

User groups:	British Horse Society British Mountaineering Council Cyclists' Touring Club Ramblers' Association
Land managers:	Country Landowners' Association Moorland Association National Farmers' Union National Trust
Public body interests:	Association of National Park Authorities Local Government Association
Other interests:	Council for the Protection of Rural England Royal Society for the Protection of Birds Trades Union Congress

There is also the ability to appoint up to four independent members. There are currently only two: Dr William Bird (Walking for Health issues) and Tim Marshall (disability issues). There are several observers from government departments and agencies, including: Countryside Council for Wales; SportEngland; English Heritage; Environment Agency; English Nature; Forestry Commission; Department of Environment, Food & Rural Affairs; and, SNH.

b. National Access Forum for Wales

The Forum's primary purpose is to help the Countryside Council for Wales (CCW) to improve the quality and extent of access to the countryside and coasts of Wales, and extend the opportunities for enjoyment and responsible outdoor recreation to all, with regard to environmental sustainability and education. The Forum:

- is a non-statutory body reporting to and advising CCW – who in turn advise the National Assembly for Wales – on the development and implementation of access policy and procedures;
- advise on aspects of implementing the new statutory right of access to open countryside, including local access forums and codes of conduct;
- provide advice on issues of principle and good practice, leaving individual cases to be resolved locally;
- can endorse briefing material for the Assembly and others when asked;

- seeks consensus wherever possible; and
- where consensus is not possible, it makes clear the nature of differing views, and suggests how they might be resolved.

Meetings are open to the public and are advertised through CCW press releases. The minutes are placed on the CCW web site. CCW have adopted an inclusive approach to membership, so there are about 45 members. The Forum is chaired by Brian Riddleston, who is a Councillor of CCW. The costs are borne by CCW. Members are:

User groups:	<ul style="list-style-type: none"> British Horse Society British Mountaineering Council Cambrian Caving Council Cyclists' Touring Club Disability Wales Forum for Motorised Recreation Land Access & Recreation Association Outdoor Pursuits Group Ramblers' Association Wales Mountain Leader Training Board Welsh Orienteering Association
Land managers:	<ul style="list-style-type: none"> Country Landowners' Association County Surveyors' Society Wales Crown Estates Farmers' Union for Wales National Farmers' Union Timber Growers' Association
Public bodies	<ul style="list-style-type: none"> Brecon Beacons National Park Authority CCW Defence Estates Organisation Environment Agency Wales Forest Enterprise Wales National Association of Local Councils Sports Council for Wales Wales Tourist Board Welsh Local Government Association Welsh Water
Other interests	<ul style="list-style-type: none"> Antur Cymru Council for National Parks Council for the Protection of Rural Wales Elan Valley Trust Fieldfare Trust Institute of Public Rights of Way Officers National Trust Open Spaces Society Sustrans Transport & General Workers Union Wales Association of Town & Community Councils Wales Wildlife & Countryside Link Youth Hostel Association

c. Northern Ireland

There is not an Access Forum in Northern Ireland. However, a Countryside Access and Activities Network (CAAN) has been established. This is an umbrella body for all organisations with an interest in countryside recreation. The aim of the Network is to debate the strategic development and management of countryside recreation in Northern Ireland. There are 33 seats on the Network. A number of representatives are drawn from other relevant groups or Forums, including:

Countryside Officers' Forum (2 seats) – comprises the countryside and access officers of local authorities and other bodies

Area Based Management Forum (2 seats) – comprises representatives of area-based management initiatives

Countryside Access Liaison Group (8 seats) – comprises representatives of all relevant public bodies

Outdoor Learning Group (2 seats) – comprises representatives of all relevant outdoor learning interests

Sports Forum (Land, Water & Air Groups) (2 seats from each) – a total of 29 sports are represented on the Sports Forum.

There are also 5 landowner/farmer representatives and 5 conservation bodies.