

PROCEDURES FOR SITE VISITS BY MEMBERS OF THE WEST DUNBARTONSHIRE ACCESS FORUM

Purpose

An Access Forum site visit will take place if the Forum agrees to offer advice to a member of the public, the access authority or any other agency, organisation or body seeking the Forum's views regarding an access issue relating to the provisions of Part 1 of the Land Reform (Scotland) Act 2003; and in order to give that advice it is deemed necessary to visit the site concerned. A site visit may also take place to aid the training or increase the experience of Forum members. Site visits will only take place with the agreement of the landowner.

Some of the circumstances that may result in the need for a site visit are:

- Advising on the application of access rights (including rights of way) to a site, in particular where privacy zones or curtilage applies to buildings.
- Advising on the general management of access rights on land or water, for example in relation to land management activities and recreational activities.
- Advising on core paths, including alignments, closures and amendments.

Procedure

The Forum Chair (or Forum Member chairing the visit) shall explain the purpose of the site visit and the procedures to be followed. The Access Officer or other nominated Council Officer will conduct the site visit, pointing out the relevant aspects of the site, the issues or areas for discussion and the surrounding land or water. The landowner or land manager may also be invited to point out any factual matters relating to features of the site or its surroundings. Discretion in this respect shall remain with the Forum's Chair.

The arrangements for the site visit will be made by the Access Officer or nominated Council Officer. Members attending site visits may need to wear boots, water-proofs and be prepared to walk over rough terrain. A risk assessment for site visits will be undertaken by the Council.

Whilst on site visits, Members of the Forum shall keep together as a group at all times and shall not engage in any individual discussions regarding the issue with either the landowner or individuals involved in the issue. If anyone attempts to lobby Members, or to disrupt the proceedings in any way then, unless order is restored, the Chair will request that the parties leave the site visit. The Chair shall also be entitled to instruct all Members and Officers to leave the site, and the site visit to be abandoned.

No discussion on the merits of an issue shall take place, or advice on the issue be made, whilst at the site. Members should therefore always avoid expressing any opinion about the issue.

The decision to undertake a site visit will always be made by the Access Forum, after an initial consideration of the relevant issues. Site visits will normally take place prior to Forum meetings, although more time consuming cases may take place on a separate day.

The sole purpose of the Access Forum undertaking a site visit is for Members to gain information relating to the access issue which they are advising on or considering as part of a training programme, and to allow them to gain a greater understanding of the site and its surroundings.

Attendance

Only the Forum Members and Advisory Members, in the presence of an Access Officer(s), the minute taker and any other Council Officer as required, may participate in the site visit. A record of Members attending the visit will be kept.

The landowner and/or land manager will be notified of the visit, the person seeking advice and anyone who has an interest in the issue and has raised a concern in writing. Members of the Forum should only enter land, whilst acting on behalf of the Forum, with the agreement of the landowner/occupier.

Where practical a mini-bus will be provided to transport Members to and from the site visit. Members are requested to use this service where provided, in order to reduce the number of private vehicles accessing the site, which may have a limited amount of parking available.

At the subsequent meeting of the Access Forum the person or persons asking for the Forum's advice will have the opportunity to present their views under the rules of the WDAF. Any application to talk at a meeting should be made 14 days prior to the meeting, by contacting: