

NORTH LANARKSHIRE OUTDOOR ACCESS FORUM TERMS OF REFERENCE

Introduction

In what follows the “Council” shall mean “North Lanarkshire Council”.

In what follows the “Act” shall mean the Land Reform (Scotland) Act 2003.

In what follows “access” shall mean paths and outdoor spaces over which access rights, as defined by the Act, are exercised.

1.0 Title

The group shall be known as the North Lanarkshire Outdoor Access Forum (hereinafter referred to as the Forum).

The Forum shall be the body established by statute under section 25 of the Act.

2.0 Area

The area represented by the Forum shall be the whole area within the Council boundary.

3.0 Objectives

The objectives for which the Forum is established are to advise the Council in the development, promotion, monitoring and management of responsible public access, reflecting the needs and aspirations of the community.

In furtherance of the above, and with specific reference to section 25 of the Act, the Forum shall:

- (i) advise the Council, and any other individual or body consulting the Forum, on the exercise of access rights, the existence and delineation of rights of way;
- (ii) offer, and where accepted, give assistance to the parties in any dispute about the exercise of access rights, the existence and delineation of rights of way, or the use of Core Paths.

In furtherance of the above the Forum shall also:

- (i) assist the Council in any review of the Core Paths Plan;
- (ii) assist the Council to implement, promote, monitor and update the North Lanarkshire Public Access Strategy;
- (iii) provide advice and assistance to the Council in prioritising, planning, designing, establishing and monitoring access networks, signage and promotional material;

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- (iv) encourage the responsible use of paths and area wide access rights in line with the Scottish Outdoor Access Code
- (v) promote the benefits of access and publicise path networks and wider access issues through a variety of means;
- (vi) develop a shared sense of partnership in relation to access amongst all sides of the community.

4.0 Membership

Forum members are appointed at the Annual General Meeting (AGM) for a period of one year. Forum members may apply to the Council to extend their appointment term for a further year thereafter.

The Council may appoint one or more of its own representatives.

Forum members who wish to resign from the Forum must give notice in writing to the Secretary.

Removal of Members from the Forum will be decided by the Council and at its sole discretion.

In accordance with section 25 of the Act the Council shall ensure reasonable representation (balanced at a maximum of three members in each of the following groupings) of:

- (i) bodies representative of persons with an interest in the exercise of access rights, the existence and delineation of rights of way, the drawing up and adoption of a Core Path Plan and the use of Core Paths;
- (ii) persons having such an interest;
- (iii) bodies representative of the owners of land in respect of which access rights are exercisable or in which there is a Core Path;
- (iv) and owners of such land.

Each Forum member must ensure that the views they express are wider than their own personal views by canvassing the opinions of those they are appointed to represent.

A member of the Forum who is directly or indirectly interested in any matter brought up for consideration at a meeting, shall disclose the nature of their interest to the meeting.

Membership of the Forum shall be regardless of race, colour, nationality,

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ethnic or national origin, religions, sex, sexuality, marital status, disabilities, or disadvantaged by conditions or requirements.

Members of the public may request items for inclusion in the Agenda through a Forum Member.

5.0 Office Bearers

The Office Bearers of the Statutory Access Forum shall consist of Chair and secretary.

The role of Chair will include:

- preparing agendas and arranging forum meetings with the Secretary;
- presiding at all ordinary and Annual General Meetings of the forum.

The Council will undertake the role of Secretary and shall:

- prepare agendas and arrange all meetings (including arranging a suitable venue) with the chair;
- record minutes of meetings.

The Chair shall be appointed at the Annual General Meeting (AGM), for a period of one year. Nominees shall require to be proposed and seconded. They shall be eligible for re-election. Where the Chair resigns during their term, the Council will appoint another member to exercise their function until a replacement can be appointed at the next AGM.

6.0 Working Arrangements

The Forum shall meet twice per annum (one standard meeting and one AGM), corresponding with members via email and letter outwith these meetings as required. Further meetings may be convened by the Council as required in order to carry out their main objectives.

In the provision of advice and assistance the Forum shall endeavour to make recommendations based on discussion and consensus. It is however anticipated that there will be occasions where the Forum will not be able to reach an agreement on certain issues. In these circumstances the Council will consider the differing viewpoints before making a decision.

To further the objectives of the Forum, the Statutory Access Forum has the power to:

- work in partnership with other voluntary organisations, government departments, local and other statutory authorities and individuals;
- take out membership of such organisations as are considered appropriate to the needs of the Forum;

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- prepare, print, publish, reproduce and circulate all such media as shall further the objectives of the Forum;
- work in isolation or partnership to arrange the holding of exhibitions, meetings, lectures, classes, seminars and training courses;
- do all such other lawful things as are incidental or conducive to the attainment of the objectives.

The Forum may establish such Working Groups as may be considered appropriate and shall determine their respective terms of reference, powers, duration and composition. All acts and proceedings of such Working Groups shall be reported back to the Forum as soon as possible.

The Council may pay Forum members such expenses and allowances as the Council determines.

A review of operation of the Forum will take place every three years. The review will take the form of an agenda item and discussion.

7.0 Chairing of Meetings

The elected Chair, or in their absence, a nominated person, shall preside over meetings of the Forum, provided that each meeting is quorate.

8.0 Quorum

The Quorum at any meeting of the Forum shall be five members.

9.0 Public representation

Questions, statements and representations may be raised on appropriate access matters by members of the public and organised groups or delegations. These items must be submitted in advance to any current Forum Member or North Lanarkshire Council.

Items that will not be considered for representation are: any item that is defamatory; any item that relates to a specific Council Officer or Forum member; any item that is repetitious and has been dealt with previously by the Forum; any other item deemed inappropriate.

Matters raised and discussed by the Forum relating to public representation will be formally recorded in the minutes and published online. Written replies will only be made if requested.

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10.0 Annual General Meeting

An AGM of the forum shall be held annually. At least 21 days notice of the AGM shall be given to the membership of the Forum and the wider public.

11.0 Amendments to the Terms of Reference

Amendments to the Terms of Reference can take place where 60% of the members in attendance at a meeting are in agreement to do so.