

INVERCLYDE LOCAL ACCESS FORUM

TERMS OF REFERENCE

1.0 Name

- 1.1 The Forum will be called the INVERCLYDE LOCAL ACCESS FORUM (hereinafter referred to as “ILAF”).

2.0 Reference Area

- 2.1 That which falls within the boundaries of the area known as Inverclyde, and which falls within the jurisdiction of Inverclyde Council.

3.0 Functions

- 3.1 The functions of ILAF (as prescribed by the Land Reform (Scotland) Act 2003) shall be:-
- (a) to advise the local authority and any other person or body consulting the forum on matters having to do with the exercise of access rights, the existence and delineation of rights of way or the drawing up and adoption of a plan for a system of core paths under sections 17 and 18 of the above Act;
 - (b) to offer and, where the offer is accepted, to give assistance to the parties to any dispute about-
 - (i) the exercise of access rights;
 - (ii) the existence and delineation of rights of way;
 - (iii) the drawing up and adoption of the plan referred to in paragraph (a) above; or
 - (iv) the use of core paths, towards the resolution of the dispute.

Additional functions may be carried out from time to time where these are fully endorsed by members of ILAF and Inverclyde Council.

4.0 Structure and Membership

- 4.1 ILAF will comprise the statutory forum (which will fulfil the duty under Section 25 of Part 1 of the Land Reform (Scotland) Act 2003 for Inverclyde Council to establish at least one local access forum). There will also be a wider forum and such forum working groups as the statutory forum considers necessary to deliver the work of ILAF.

4.2 ILAF statutory forum

ILAF statutory forum will be responsible for managing the business of ILAF. It will:-

- consist of representatives nominated by the respective stakeholder groups, ie land managers, users, community and agency representatives and appointed by Inverclyde Council
- allow any stakeholder group representative unable to attend specific meetings to be temporarily replaced at these by a substitute acceptable to the stakeholder group concerned and irrespective of whether said substitute is from the same organisation as the representative
- consider if action is appropriate where a member does not attend three consecutive statutory ILAF meetings or send a substitute in their place
- have a maximum term for individual membership (with the exception of Inverclyde Council representatives [see clause below]) of three years with members eligible for re-election immediately thereafter (see 4.4 below for re-election details)
- permit Inverclyde Council to change its elected representatives to suit elections and/or political re-organisation
- elect a chair and vice-chair from its membership to serve for a term of one year with said office bearers being eligible for re-election immediately thereafter. The position of Chair will only be permitted to be filled by the same individual for a maximum of 3 years, following which a one year interval will elapse before said individual will be eligible for re-election
- invite such parties to meetings as it may consider relevant for the purpose of providing expert advice on any matter arising
- be accountable to and report back to the wider Forum membership
- convene at least four times each year
- facilitate or enable members to attend training where this is identified as necessary to permit full participation with regard to outdoor access in Inverclyde
- adhere to the appended structure, which may be amended from time to time subject to approval of the wider forum and Inverclyde Council

4.3 **ILAF Working Groups**

Forum working groups will be established, where agreed by ILAF statutory forum, for the purposes of advising the statutory forum and wider Forum on either topic or area based access matters. Working groups will: -

- have a clear remit and expected life-span
- comprise membership which may be from ILAF statutory forum, wider Forum, wider population, and specialist advisers
- report findings and outcomes to ILAF statutory forum for approval or further action

4.4 **Wider Forum**

Membership of the wider Forum will be open to all with an interest in outdoor access in Inverclyde and will include representatives of the following stakeholder groups: -

- recreationalists and access users including people with disabilities

- land owners and managers
- local community interests
- conservation organisations and individuals
- public bodies and agencies with an interest in access issues in Inverclyde

The Wider Forum will:

- convene at least once per year at an annual access seminar or conference
- on a 3-yearly basis require each stakeholder group to approve representatives to serve on ILAF statutory forum. (It should be noted that those who have been members of the statutory ILAF for the preceding three years are eligible for immediate re-election.)

4.5 It is the policy of the ILAF statutory forum to comply with, but not restricted to, issues covered by the following Acts, namely; the Race Relations Act 1976, Sex Discrimination Act 1975 and Disability Discrimination Act 1995. Accordingly ILAF will not to treat one group of people less favourably than others because of their sex, disability, colour, race, nationality or ethnic origin.

5.0 Administration of statutory forum meetings

5.1 Administration of the statutory forum meetings will be undertaken on the basis that:-

- decisions will be made through consensus, with majority voting only as a last resort
- all members of the ILAF statutory forum may request inclusion of items for discussion in meeting agendas
- minutes shall be taken for all meetings
- agendas, papers, and minutes of meetings will be made available to the public. Approved minutes shall be reported to the relevant committee of Inverclyde Council
- Inverclyde Council will provide administrative support services, accommodation and facilities
- Members will be entitled to accept expenses from Inverclyde Council where these are offered and members submit a claim

5.2 The quorum for the statutory forum will require attendance from an Inverclyde Council elected member or official, together with a representative from each of the following stakeholder groups: Landowner/manager, users and communities.

5.3 Disclosure of a personal interest

Any ILAF member who has a direct or indirect personal interest in any matter **must**, at the outset of any meeting at which the matter is to be considered, disclose the nature of their interest to the meeting. The remaining members in attendance will determine whether the affected individual can participate in discussion of the item. If considered necessary, the remaining members will

have a right to ask the affected individual to withdraw from the meeting during that particular item.

6.0 Communication

- 6.1 A communication charter will be developed and approved by the ILAF statutory forum to ensure that all of the information relating to the business of ILAF is open and available to its members and the public, excluding any information that is deemed confidential by legislation.

The statutory forum will be responsible for the preparation and periodic monitoring and review of this protocol to ensure its adequate implementation.

6.2 Freedom of Information

As a public body, Inverclyde Local Access Forum is subject to the terms of the Freedom of Information (Scotland) Act 2002. The Act gives a right of access to all recorded information held by ILAF, with a few limited exemptions.

7.0 Finance

- 7.1 If deemed necessary, a bank account may be opened in the name of "Inverclyde Local Access Forum" and a treasurer elected from the members of ILAF statutory forum. There would be a requirement of three signatories for cheques with two of the three required for each cheque.

8.0 Dissolution

- 8.1 In the event of dissolution of ILAF, any monies held will be transferred to the Council until such a time as another Forum can be established.

9.0 Alterations to Terms of Reference

- 9.1 Any alterations to these Terms of Reference will require to be ratified by members of the wider Forum at its annual seminar or at a special meeting called specifically for that purpose.

Terms of Reference approved:-(date)

Signed:- (Chair) (Vice Chair)

Print name:- (Chair) (Vice Chair)